



CITY OF MORRO BAY PLANNING COMMISSION AGENDA

The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean, and healthy place for residents and visitors to live, work and play.

Regular Meeting - Tuesday, November 19, 2024
Veteran's Memorial Building – 6:00 P.M.
209 Surf Street, Morro Bay, CA

Chairperson – William Roschen

Vice-Chairperson Mike Rodriguez
Commissioner Asia King

Commissioner Joseph Ingraffia
Commissioner Eric Meyer

Public Participation:

Remote public participation is allowed in the following ways:

- *Community members may attend the meeting in person at the Morro Bay Veterans Hall*
- *Members of the public may watch the meeting and speak during the general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the "raise hand" feature to indicate your desire to provide public comment.*

Please click the link below to join the webinar:

➤ <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRWFUQT09>

Password: 135692

➤ *Or Telephone Attendee: 1 (408) 638-0968 or 1 (669) 900 6833 or 1 (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to "Raise Hand" for Public Comment*

- *Alternatively, members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Planning Commission at planningcommission@morrobayca.gov prior to the meeting. Agenda correspondence received at planningcommission@morrobayca.gov by 10 a.m. on the meeting day will be posted on the City website.*

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE/PLEDGE OF ALLEGEANCE
PLANNING COMMISSIONER ANNOUNCEMENTS

PUBLIC COMMENT

Members of the audience wishing to address the Planning Commission on City business matters not on the agenda may do so at this time. For those desiring to speak on items on the agenda, but unable to stay for the item, may also address the Planning Commission at this time.

PRESENTATIONS

A. CONSENT CALENDAR

- A-1** Approval of minutes from Planning Commission meeting of October 15, 2024.
Staff Recommendation: Approve minutes as submitted.

B. PUBLIC HEARINGS

- B-1** **Case No.:** Conditional Use Permit CUP24-04
Site Location: 431, 451, and 495 Embarcadero Road, Morro Bay, CA
Project Description: Request for Planning Commission approval for a development and redevelopment of City lease sites 49 L 49 W, 50 L 50 W, 51 L 51 W, and 52 L 52 W to include the renovation of an existing office building, demolition of existing vacation rental buildings, and construction of a new two-story building with eight (8) vacation rentals as well as one (1) commercial retail space. A new water area will include one (1) new floating dock, (3) new finger slips, and one (1) finger dock space with a low floating dock for a kayak rental business. A new Harborwalk connection is proposed to connect pedestrians along the Embarcadero to Tidelands Park. This property is in the Waterfront (WF) zoning district and is within the California Coastal Commission original permit jurisdiction.
CEQA Determination: Exempt under Section 15332, Class 32 for In-Fill Development Projects.
Staff Recommendation: Recommendation to Planning Commission for approval with attached conditions.
Staff Contact: Kim Fowler, Planning Manager, 805-772-6577, kfowler@morrobayca.gov
- B-2** **Case No:** Coastal Development Permit CDP24-001 and Parcel Map PAR23-02
Site Location: 900 Ridgeway, Morro Bay, CA
Proposal: Coastal Development Permit (CDP24-001) and Parcel Map (PAR23-02) for a three-lot subdivision. The project will include moving the existing residence to the same proposed lot as the existing art studio. This project is located in the Single Family Residential (RS-A) zoning district and is outside of the coastal appeals jurisdiction.
CEQA: Exempt under Section 15315, Class 15 for Minor Land Subdivisions.
Staff Recommendation: Recommendation to Planning Commission for approval with attached conditions.
Staff Contact: Susana Toner, Assistant Planner, 805-772-6270, stoner@morrobayca.gov

C. NEW BUSINESS

D. UNFINISHED BUSINESS

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

G. ADJOURNMENT

Adjourn to the next regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on December 3, 2024, at 6:00 p.m.

PLANNING COMMISSION MEETING PROCEDURES

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Community Development Department, 955 Shasta Avenue, for any revisions, or call the Department at 805-772-6264 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Community Development Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Community Development Department, Planning Division.

This Agenda may be found on the Internet at: www.morrobayca.gov/planningcommission or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to www.morrobayca.gov/notifyme and follow the instructions.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The Chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Division staff will present the staff report and recommendation on the proposal being heard and respond to questions from Commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the Commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

APPEALS

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Community Development Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located with the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is a \$326 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (805) 772-6264. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Public Participation:

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- Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the “raise hand” feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNW.RWFUQT09>

Password: 135692

Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to “Raise Hand” for Public Comment

PRESENTATIONS

A. CONSENT CALENDAR

A-1 Planning Information Update

Staff Recommendation: Receive and file.

A-2 Approval of the minutes from the Planning Commission meeting of June 4, 2024.

Staff Recommendation: Approve minutes as submitted.

A-3 Approval of the minutes from the Planning Commission meeting of August 6, 2024.

Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Ingraffia moved to approve June 4, 2024, minutes. Vice-Chairperson Rodriguez seconded, and the motion passes 3-0-0, with King, Ingraffia and Rodriguez voting yes, with Meyer and Roschen abstaining.

Commissioner Meyer moved to approve August 6, 2024, minutes. Commissioner Ingraffia seconded, and the motion passes 4-0, with Ingraffia, Meyer, Rodriguez, and Roschen voting yes, and King abstaining.

B. PUBLIC HEARING
None.

Chairperson Roschen verified the reason there hadn't been many planning commission meetings was due to projects not needing to be reviewed by the commission.

Staff confirmed.

C. NEW BUSINESS

C-1 Housing Policy Overview
Staff Recommendation: Receive and file.

Airlin Singewald, Community Development Director, and Susana Toner, Assistant Planner, presented the Staff Report.

Commissioners presented concerns and questions to staff.

Staff answered concerns and questions

Chairperson Roschen opened the Public Comment Period.
<https://youtu.be/K5t6TgtUUSo?t=3567>

Dina Lundquist, CEO of the Morro Bay Chamber of Commerce, commented on business owners agreeing there is a pressing need to rebuild the community with affordable housing.

Betty Winholtz, Morro Bay, asked about the definition of "affordable" and for clarification on the sizing standards, the significance of "opportunity sites", and ADUs.

Jeff Eckles, Morro Bay, commented on the definition of affordable housing and deed restricted subsidized housing.

Chairperson Roschen closed the Public Comment Period.
<https://youtu.be/K5t6TgtUUSo?t=4272>

Commissioners discussed concerns, provided comments and addressed staff with questions.

Staff answered concerns and questions.

MOTION: None given

D. UNFINISHED BUSINESS
<https://youtu.be/K5t6TgtUUSo?t=5728>

Vice-Chairperson Rodriguez, would like to know if the Community Public Benefits Memo presentation will be brought to the commission again?

Director Singewald answered that it would be brought to the commission at a future meeting.

E. PLANNING COMMISSIONER COMMENTS/FUTURE AGENDA ITEMS
<https://youtu.be/K5t6TgtUUSo?t=5815>

Chairperson Roschen mentioned public workshops that are topic focused.

Commissioner King commented on topics like portable-by-design and funding for housing. Commissioner Meyer reiterated having a historical preservation ordinance, and Commissioner Rodriguez thanked the CEO of the Chamber of Commerce for coming.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS
<https://youtu.be/K5t6TgtUUSo?t=5935>

Director Singewald commented on having new staff members, Erik Valentine, Assistant Planner and a new Planning Intern, Lee Ackerman. Also commented on the reason planning commission meetings had been cancelled was due to CDP applications slowing down, due to new zoning code streamlining applications.

Coastal Commission approved the City's application for a \$750,000 grant for the Waterfront Master Plan Update. And a Panorama subdivision EIR scoping meeting is scheduled for 5:30 pm on Thursday, October 17th. The proposed RFQ for 781 Market Ave, will be brought to Council for review in the future.

Director also gave an update on the BESS project application by Vistra. The soonest it could be brought before the Planning Commission would be summer 2025.

Short-Term Rental ordinance implementation letters will be starting November 4th for un-permitted rentals. And he will be taking the General Plan progress report to the Council on November 12th.

The next Planning Commission Meetings will be October 29th (in lieu of November 5th, since it's election day) and November 19th.

G. ADJOURNMENT

The meeting was adjourned at 8:52 pm to the Special Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on October 29, 2024, at 6:00 p.m.



Staff Report

TO: Chairperson Roschen and Members of the Planning Commission

FROM: Kim Fowler, Planning Manager, Planning Division

SUBJECT: 431, 451, and 495 Embarcadero Road; Conditional Use Permit (CUP24-04) – Associated Pacific Constructors, Inc.

I. PROJECT DESCRIPTION:

Associated Pacific Constructors, Inc. (APC) proposes development and redevelopment of City lease sites 49 L 49 W, 50 L 50 W, 51 L 51 W and 52 L 52 W to include the renovation of an existing office building, demolition of existing vacation rental buildings, and construction of a new two-story building with eight (8) vacation rentals as well as one (1) commercial retail space. A new water area will include one (1) new floating dock, (3) new finger slips, and one (1) finger dock space with a low floating dock for a kayak rental business (see Exhibit B for a full set of plans). A new Harborwalk connection is proposed to connect pedestrians along the Embarcadero to Tideland Park. This property is in the Waterfront (WF) zoning district and is within the California Coastal Commission original permit jurisdiction. See Figure 1, Site Plan.

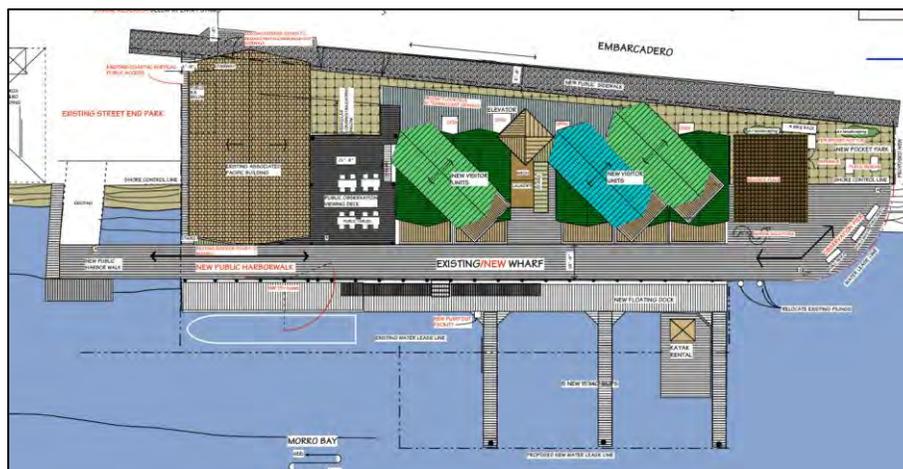


Figure 1 – Site Plan

II. RECOMMENDED ACTION:

STAFF RECOMMENDS THE PLANNING COMMISSION APPROVE CONDITIONAL USE PERMIT NO. CUP24-04 FOR THE DEVELOPMENT AND REDEVELOPMENT OF CITY OF MORRO BAY LEASE SITES 49 L 49 W, 50 L 50 W, 52 L 52 W AND 52 L 52 W AT 431, 451, AND 495 EMBARCADERO ROAD AS SHOWN ON PLANS DATE STAMPED NOVEMBER 14, 2024, BY ADOPTING PLANNING COMMISSION RESOLUTION 04-24 WHICH INCLUDES STAFF FINDINGS AND CONDITIONS OF APPROVAL (EXHIBIT A).

III. DEVELOPMENT BACKGROUND:

A marine repair shop with a permanent dock, floating dock, and water slip was approved by the city in 1974. The following year, office space was approved on the second floor. In 1976, an existing residence was demolished, and the Planning Commission approved a two-story building with a dock and floating dock, with a workshop on the ground floor and retail on the upper floor. Associated Pacific Constructors, Inc. currently occupies the building as office space.

The buildings at 451 and 471 Embarcadero were remodeled in 1993, with a change in exterior siding and roof pitch (at 471 Embarcadero).

IV. REDEVELOPMENT OPPORTUNITY:

RFP Release – June 2023

Recognizing the need for affordable visitor-serving opportunities that provide access to the bay, as well as an economic return to the city, and desiring to solicit proposals to ensure maximization of public benefit from redevelopment and a long-term lease agreement for the site, the Morro Bay City Council and Harbor Department issued a Request for Proposals (RFP) (Exhibit C within this link: <https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/7456>) in June 2023 for the redevelopment of 431 and 451 Embarcadero (See Figure 1 below):

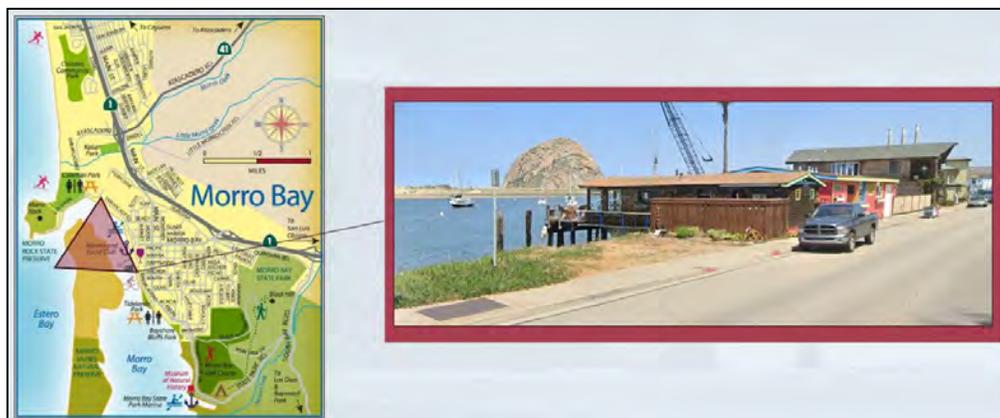


Figure 1: Project Location

The RFP included the following design improvement key objectives:

1. Best and highest use of both the land and water portions of the site to maximize revenues and return on investment
2. Improved viewshed and façade
3. Adds to overall tourism draw
4. Retore and/or enhance the environment, where applicable
5. Incorporation of an independent public restroom of the site, if practical
6. Include safety enhancements in the area, were applicable
7. Proposals must include:
 - a. Minimum 8' wide sidewalks and 10' wide lateral public access along the waterfront
 - b. Architectural, and perhaps functional, emphasis on fishing village/marine heritage, working waterfront, and national estuary themes
 - c. ADA compliance
 - d. Incorporation of LEED features

RFP Response – October 12, 2023

There were no responses to the RFP as solicited.

One response with a modified proposal was received from APC/Paul Gillen (Exhibit D within this link: <https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/7456>). This modification included 495 Embarcadero with the following project description:

Development and redevelopment of City lease sites 49 L 49 W, 50 L 50 W, 51 L 51 W and 52 L 52 W to include the renovation of an existing office building, demolition of existing vacation rental buildings, and construction of a new two-story building with eight (8) vacation rentals. A new water area will include one (1) new floating dock, (3) new finger slips, and one (1) finger dock space with a low floating dock for a kayak rental business. A new Harborwalk connection is proposed to connect pedestrians along the Embarcadero to Tidelands Park.

An illustration of the project's west elevation as proposed in response to the city's RFP is provided in Figure 2:



Figure 2: West Elevation as proposed within RFP Response

Conceptual Review Meeting – June 4, 2024

At the request of Planning Staff, the applicant opted-in to a conceptual review process to solicit preliminary comments from the Planning Commission on the topics of relevant policies, zoning regulations, and procedures. The conceptual review meeting was held on June 4, 2024, with many comments received both from the Planning Commission and the public. A copy of this staff report may be viewed online at this link: <https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/7413>

An illustration of the project's west elevation as proposed at the June 4, 2024, Conceptual Review meeting is provided in Figure 3:



Figure 3: West Elevation as proposed at Conceptual Review Meeting

Planning Commission Meeting – October 29, 2024

The project was modified to address comments received at the Conceptual Review meeting and subsequently agendized for a Planning Commission meeting on October 29, 2024. A copy of this staff report may be viewed online at this link: <https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/7456>

An illustration of the project's west elevation as proposed at the October 29, 2024, Planning Commission meeting is provided in Figure 4:



Figure 4: West Elevation as proposed at Planning Commission Meeting

After much discussion and deliberation, the Planning Commission moved to: 1) form a subcommittee consisting of Commissioners Eric Meyer and Bill Roschen, to provide additional feedback, and 2) continue the hearing to November 19, 2024 to provide the applicant time to address comments received by the Planning Commission subcommittee.

Planning Commission Subcommittee Meeting – November 6, 2024

Planning Commission subcommittee members Eric Meyer and Bill Roschen met with the applicant, applicant’s architect, and city staff to discuss the following concerns:

1. Lack of uses that draw visitors to this location which results in an underutilized portion of the Embarcadero
2. Desire to preserve a portion of ‘the cottages’ for local historical purposes
3. Desire to retain the existing staircase on east elevation of current office space
4. Lighting conditions along the east elevation sidewalk due to the incorporation of a second-story deck

Planning Commission Meeting – November 19, 2024

After the Planning Commission subcommittee meeting, the applicant and applicant’s architect redesigned their project to address concerns raised and have modified their project description to include the following elements:

1. **New Commercial Retail Building and Preservation of ‘Cottages.’** A new 489 s.f. commercial retail building will be added to lease site 49L to draw visitors to this location of the Embarcadero and liven up the publicly accessible observation desk. This building will incorporate salvaged materials from ‘the cottages’ so that at project completion, it will look and feel identical to the previous use yet be structurally sound.
2. **Preservation of Existing Staircase.** The existing staircase along the east elevation of the office building will remain to provide architectural character. To comply with the Waterfront Master Plan’s requirement of maintaining an 8’-0” sidewalk, a bulb-out feature is proposed. This will eliminate one parking stall within the city’s right-of-way.

3. **Lighting Conditions along East Elevation.** To address the concern that the incorporation of the second-floor deck will create a dark and ‘tunnel-like’ effect of the public space below, the applicant has incorporated cut-outs as well as translucent grates on the deck surface to allow natural light to penetrate on the sidewalk below.

V. AUTHORIZATION/GUIDELINES:

Development proposals require both development and use permits. The proposed project is located within the California Coastal Commission’s (CCC) original jurisdiction and will therefore require entitlement permitting in a two-step process.

Morro Bay Municipal Code (MBMC) Section 17.40.030.A authorizes the Planning Commission to act on a Conditional Use Permit application. The final determination by the Planning Commission on this application may be appealed to the City Council pursuant to the time periods and requirements established in the MBMC for appeals.

After obtaining a use permit from the city, the Applicant will be required to obtain a Coastal Development Permit (CDP) from the CCC prior to issuance of any building permit.

VI. ENVIRONMENTAL REVIEW:

Projects requiring a discretionary action (such as a Conditional Use Permit) are subject to the California Environmental Quality Act (CEQA) and require review for determination of appropriate documentation. During an early stage of project review, staff requested an evaluation for historic resources to consider impacts of actions on the cultural environment, and an eelgrass survey to determine impacts to existing water habitat.

A Historical Resources Evaluation (HRE) was conducted by Long Historic Preservation Services, LLC, in June 2024 (Exhibit E within this link: <https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/7456>). This HRE assessed the buildings at 451 and 471 Embarcadero Road using the eligibility criteria for the California Register of Historic Resources (CRHR), and ultimately concluded that the buildings are not significant under any of the CRHR eligibility criteria; and are therefore not historical resources for the purposes of CEQA.

While not historical for the purposes of CEQA, the existing vacation rental buildings (also referred to as ‘the cottages’) with their vibrant colors have been an Embarcadero mainstay since the 1990s and are considered by many Morro Bay residents to be *culturally* significant. The city, however, does not currently have an adopted Historic Preservation Ordinance and therefore does not have a system in place to identify and protect locally historic resources.

The applicant has, however, offered to incorporate salvaged materials from ‘the cottages’ within the design of the new commercial/space so that at project completion, it will look and feel identical to the existing vacation rental buildings.

MBMC Section 17.14.080.F requires protection of wetlands, deepwater, and other water areas. The biological productivity and the quality of coastal waters shall be protected, maintained, and where feasible, restored. Additionally, special protection shall be provided to species of special biological or economic significance.

Eelgrass has been identified by the National Oceanic and Atmospheric Administration (NOAA) as a Habitat Area of Particular Concern (HAPC) for species managed under the Pacific Salmon and Pacific Groundfish Fishery Management Plans. Eelgrass habitat is valuable in the marine environment as it provides many important ecosystem functions. Because of its critical contribution to a functioning and thriving ecosystem, eelgrass habitat is a high-priority area for conservation, management, and research.

A California Eelgrass Mitigation Policy and Implementing Guidelines Report published by the NOAA Fisheries West Coast Region in October 2014 (https://media.fisheries.noaa.gov/dam-migration/cemp_oct_2014_final.pdf) included a policy statement recommending no net loss of eelgrass habitat function in California, as well as implementing guidelines to avoiding and minimizing impacts.

The Morro Bay National Estuary Program (MBNEP) is a nonprofit that works to protect and restore Morro Bay and its watershed by conducting monitoring and research to track the health of the estuary, repairing natural habitats to protect water quality and wildlife, and educating residents and visitors on how to be good stewards of the bay.

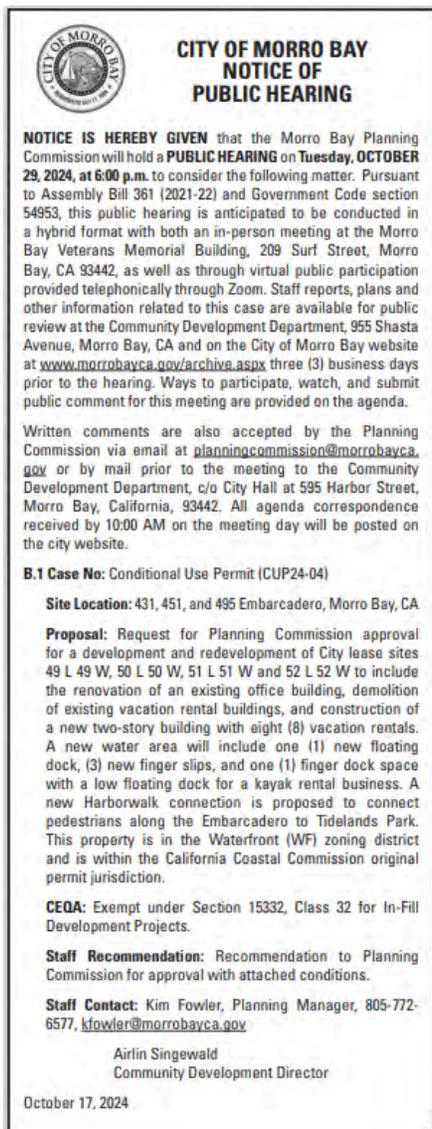
A Morro Bay Eelgrass Report was conducted by MBNEP in December 2021 (https://www.mbnep.org/wp-content/uploads/2021/12/2020-Eelgrass-Report_FINAL.pdf) and identified eelgrass as growing intermittently along the Morro Bay Embarcadero, and stated that impacts to eelgrass must be considered before any construction occurs.

Additionally, an Eelgrass Report was conducted by Tenera Environmental in October 2024 to assess and confirm the current eelgrass population (Exhibit F within this link: <https://www.morrobayca.gov/ArchiveCenter/ViewFile/Item/7456>). This report documented a persistent band of eelgrass extending north from Tidelands Park to the south end of the project area. Historically, eelgrass has also been observed at the northern end of the project site. In accordance with California Eelgrass Mitigation Plan policies and protocols, this project will be conditioned to conduct eelgrass surveys prior to construction.

CEQA Determination: The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines 15301 (Class 3 – New Construction of Limited Small New Facilities) and 15332 (In-fill Development Projects in Urban Areas). Under these exemptions, and with the environmental analysis provided, no further environmental analysis is required.

A Notice of Exemption will be filed with the San Luis Obispo County Clerk’s Office upon final approval.

VII. PUBLIC NOTICE:



Notice of this item was published in the New Times SLO newspaper on October 17, 2024 (see Figure 3), a sign was posted at the site with the project number and photo simulation (see Figure 4), and all property owners and occupants of record within 500 feet of the subject site were notified of the public hearing and invited to share their concerns on this application.



Figure 3: Newspaper Notification

Figure 4: On-Site Notification

On October 29, 2024, the Planning Commission continued this project to the November 19, 2024, Planning Commission meeting. As this continuance date and time was announced, additional public notice is not required.

VIII. PROJECT BACKGROUND:

Project Team	
Applicant:	Associated Pacific Constructors, Inc. Paul Gillen 495 Embarcadero, Morro Bay, CA 93442 (805) 772-7472 paul@associatedpacific.com
Architect:	Land and Sea Interface Gene Doughty 201 Main Street, Morro Bay, CA 93442 (805) 772-8436 Land.sea.interface.morrobay@gmail.com
Land Use	
Property Location:	431 Embarcadero 451 Embarcadero 495 Embarcadero
State-granted Tidelands Lease Sites:	49 L 49 W, 50 L 50 W, 51 L 51 W and 52 L 52 W
General Plan/Coastal Local Plan Designation:	Waterfront Commercial/Industrial
Zoning Classification:	Waterfront (WF)
1996 Waterfront Master Plan (WMP):	Planning Area 3: Embarcadero Visitor Area
Surrounding Land Uses:	North: Mariner Park South: Vacant East: Embarcadero Inn and Suites West: Morro Bay Harbor
Coastal Zone:	Coastal Commission original jurisdiction. Applicants are required to obtain a Coastal Development Permit from the California Coastal Commission prior to issuance of any building permit.
Additional Regulatory Documents	Applicability
2018 Downtown Waterfront Strategic Plan (DWSP)	Not applicable
North Main Street Specific Plan	Not applicable
Beach Street Specific Plan	Not applicable
2015 Residential Design Guidelines	Not applicable
1997 Cloisters Design Guidelines	Not applicable
Seashell Estates CC&Rs	Not applicable

IX. ANALYSIS:

Within this section, **annotations in red** portray the proposed project's inconsistency with a specific development standard:

1996 Waterfront Master Plan (WMP):

The proposal is within the Waterfront Master Plan and is within Planning Area 3: Embarcadero Visitor Area. This area encompasses the Embarcadero from Beach Street to South Street between the bluff and the waterfront. This portion of the Embarcadero contains the majority of the shopping and eating establishments as well as the most intense mix of pedestrian and vehicle activity.

Design Guidelines:

Chapter 5 of the Waterfront Master Plan includes design guidelines applicable to all waterfront projects. The design guidelines require that projects consider three key areas in the design review process. Staff responses are noted below in **bold**:

1. Sidewalks that provide connection along the Embarcadero. The existing sidewalk width is non-conforming. **The WMP would require a minimum width of 8-foot sidewalks on new projects.**
2. Boardwalks. **This project proposes to provide a new 10-foot wide Harborwalk access with public seating adjacent to the building.**
3. Architectural compatibility. Architectural character should be consistent with a working fishing village character with building design treatment to include that areas adjacent to the sidewalk be pedestrian oriented with windows, entries, and display area; front façade to be in scale and character of the waterfront area; articulated wall surfaces such as board and batt, engaged pilasters, multilevel trim, cornices, and built-up fascias, varied rooflines, and use of materials and colors to break up larger building masses and large wall planes. **Project incorporates a modern maritime building design with roofline variation, horizontal plank siding, glass balconies, multiple windows, doors, and entry points for pedestrian orientation.**

Development Standards:

Waterfront (WF) Development Standards			
	Required	Proposed	Complies?
Setbacks	Front: 5 feet average Interior Side: 0 feet Exterior Side: 5 feet average Rear: Harborwalk access 10 feet	Front: 5 feet average Interior Side: 0 feet Exterior Side: 3 feet on west side (existing non-conforming) Rear: Harborwalk access 10 feet	Yes
Height	Maximum height is 17 feet or up to 25 feet may be allowed by PC with finding of significant public benefit per WMP.	Existing building at 495 Embarcadero – 24.66 feet (existing non-conforming) New building at 451 Embarcadero – 24 feet	Yes, with finding of public benefit
Roof Area Requirement: 80% > 4:12 Pitch	Minimum of 80% > at 4:12 pitch	Minimum of 80% > at 4:12 pitch	Yes
Lot Coverage land side of lease	90% lot coverage for land side and 70% lot coverage on waterfront side	Existing building at 495 Embarcadero - 78% Proposed building at 451 Embarcadero – 36.5% (Not differentiated between land v. water)	Yes

The project as proposed provides amenities identified in the Waterfront Master Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of outward views and characteristics of the topography.

The project as proposed also exceeds the maximum height of 17 feet. To offset this requested height exception, the Applicant’s proposal for significant public benefit includes an additional commercial/retail space to attract visitors to this portion of the Embarcadero, re-use of salvaged materials from ‘the cottages’ to preserve local history, curb and street enhancements, a new 8’ sidewalk, new pocket park with bike rack, new wharf, second floor deck and public observation deck, public tables, chairs, benches, elevator, and a publicly accessible dock.

A finding of significant public benefit is listed in the attached Planning Commission Resolution (Exhibit A).

Zoning Code (MBMC Section 17):

Development Standards (MBMC Section 17.11):

WF Development Standards (MBMC Table 17.11.040)			
<i>Development Standard</i>	<i>Required</i>	<i>Proposed</i>	<i>Complies?</i>
Minimum Setbacks - Front	0 feet	0 feet	Yes
Minimum Setbacks – Interior Side	0 feet	0 feet	Yes
Minimum Setbacks – Corner Side	0 feet	Not applicable	Yes
Minimum Setbacks - Rear	Must allow for a minimum 10-foot boardwalk	10 feet	Yes
Maximum Lot Coverage (% of lot)	90	78	Yes

WF Supplemental Standards (MBMC Section 17.11.050)		
<i>Supplemental Standard</i>	<i>Required</i>	<i>Proposed</i>
Architectural Treatment	The architectural and landscape design of a project, including materials, shall be consistent with the character of a working fishing village. The design shall improve community appearances by preventing extremes of dissimilarity or monotony in new construction or redevelopments.	Project materials include continued use of existing vacation rental trim colors, typical cedar siding to match existing surfaces, blue and green metal roofing, heavy timber construction to reflect marine use piers, wharfs, and concrete pilings for structural use. The new commercial retail space will also re-use materials that will be salvaged from the existing cottages.
	The design shall protect aesthetic environmental qualities. The design shall enhance the desirability	Inclusion of the Harborwalk and observation decks maximize view opportunities of aesthetic

	and/or enjoyment of the immediate area.	environmental qualities and the desirability to enjoy the immediate area.
Public Access Requirements	Public access from the nearest public roadway to the shoreline and along the bay front shall be provided in new development projects.	Inclusion of the Harborwalk and observation decks provide the public with access from Embarcadero Road to the bay front.

Visual Resource Protection (MBMC Section 17.14.090):

To enhance public views and the scenic qualities of the city’s Coastal Zone, and to maintain consistency with the LCP’s Land Use Plan (LUP), development shall conform to all applicable Land Use Plan Visual Resources and Viewsheds policies.

The proposed building addition will not contribute to bluff erosion and maintains the existing view corridor from the public right-of-way at the top of the bluff. Additionally, the proposed colors, textures, and architectural style are compatible with development on adjacent blocks and do not cause the project to stand out from surrounding built and natural features.

Fences and Freestanding Walls:

The Harborwalk along the Embarcadero currently includes a hybrid of both horizontal cable and vertical steel railings (Figure 5 at left and right). Recently, it was brought to the attention of city staff that visitors stepping and hanging on the horizontal cable railings (similar to the action depicted in Figure 5 at center) have caused damage/permanent slack to some of the individual cables.

Going forward, development projects along the Embarcadero, including this proposed project, will be conditioned to provide vertical railings to minimize the occurrence of future repairs.



Figure 5: Railing Options

Exterior Lighting and Illumination (MBMC Section 17.14.090.B):

Where exterior lighting is proposed, a plan showing the location, types, and intensity of the proposed lights is required. Additionally, all proposed lighting fixtures will be downcast, shielded, diffused, or indirect to be dark-sky compliant and avoid glare.

An exterior lighting plan is conditioned to be provided as an exhibit in the building permit package and shall include details to the satisfaction of the Community Development Director.

Landscaping (MBMC Section 17.14.090.C):

Development shall minimize the removal of existing native vegetation and shall provide for landscaping improvements that include removal of non-native and/or invasive species, and plantings of noninvasive native plants in a manner sited and designed to enhance coastal habitats and public views.

A new pocket park is proposed at the southern end of the project site. The project scope will also include landscaping planters both at the ground level and on the second-floor deck. A Landscape Plan in accordance with MBMC Section 17.25 is conditioned to be provided as an exhibit in the building permit package and shall include details to the satisfaction of the Community Development Director.

Coastal Access (MBMC Section 17.14.110):

In order to protect the public's access to the coast, and to maintain a consistency with the LCP's Land Use Plan (LCP), the proposed project will conform to all applicable Land Use Plan Coastal Access and Embarcadero policies.

Parking and Loading (MBMC Section 17.27):

Parking and loading regulations ensure that adequate off-street parking and loading facilities are provided for new land uses and major alterations to existing uses; establish standards and regulations for safe and well-designed parking unloading, and vehicular circulation areas that minimize conflicts between pedestrian and vehicles within parking lots and, where appropriate, create buffers from surrounding land uses; and offer flexible means of minimizing the amount of area devoted to parking by allowing reductions in the number of required spaces in transit-served locations, shared parking facilities, and other situations expected to have lower vehicle parking demand. Additionally, parking requirements may be satisfied on-site, off-site, or via in-lieu fee within the Waterfront zoning district.

As shown in the table below, onsite parking required by the ratio identified in MBMC Section 17.27.040 is calculated to be 12 spaces; however, the site has a historical parking calculation or credit of 14 stalls. As the current proposal does not exceed the historical allocation of 14 stalls,

the proposed project is deemed to be consistent with the city’s parking regulations without providing onsite parking, and as such, no parking spaces are required or proposed.

Use	Square Footage	MCMC Section 17.27.040	
		Stall Criteria	Stall Calculation
Commercial	165+240=405 square feet of retail	1 per 300 square feet of floor area	1 stall
Eating and Drinking Establishments	375 square feet of seating area	1 per 100 square feet of seating area plus 1 per 200 square feet of outdoor seating area in excess of 350 square feet	3 stalls
Hotels and Motels	8 rooms	1 for each guest room plus one space for each 10 rooms	8 stalls
<i>- Subtotal of Parking Stalls Required under MBMC Section 17.27.040</i>			<i>12 stalls</i>
Use	Square Footage	Historical Parking Calculation/Credit	
		Stall Criteria	Stall Calculation
Office	3,200 square feet	1 per 300 square feet of floor area	11 stalls
Hotels and Motels	3 rooms	1 for each guest room plus one guest space	4 stalls
<i>- Subtotal of Historical Parking Credits</i>			<i>14 stalls</i>
<i>- Total of Parking Stalls Required</i>			<i>0 stalls</i>

Signage (MBMC Section 17.29):

The project does not propose new signage. Any new signage will require a separate master sign program and/or sign permit from the Community Development Director.

Variance Request (MBMC Section 17.44):

This project does not include a variance request.

X. PLANNING COMMISSION ACTION:

Approval as recommended: If the Planning Commission intends to approve this proposal, the Commission should approve a motion to approve CUP24-04, stating that the proposal satisfies the requisite findings, and adopt the attached Resolution that incorporates the requisite environmental and permit findings and the conditions of approval.

Approval with modifications: If the Planning Commission intends to approve this proposal with modifications as discussed on the record, the Commission should approve a motion to approve CUP 24-04 as based on the record, direct staff to amend the staff report accordingly, stating that the amended staff report will satisfy the requisite findings, and adopt a Resolution that will incorporate the requisite environmental and permit findings and the conditions of approval, as modified by the Commission.

Denial: If the Planning Commission intends to deny this proposal, the Commission should approve a motion to deny CUP24-04, stating that the finding(s) of the proposal does not satisfy with reasons based on the record, and direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decisions and specific findings.

Continuation: If the Planning Commission intends to continue this proposal, the Commission should approve a motion to continue CUP24-04 and direct staff to work with the applicant to revise the proposal in the meantime.

If any Planning Commissioner or other interested party has questions or comments regarding this matter prior to the meeting, please contact Kim Fowler, Planning Manager, at 805-772-6577, or by email at kfowler@morrobayca.gov.

Approved:



Airlin Singewald
Community Development Director

Exhibit A

Planning Commission Resolution 04-24

Exhibit B

Full Set of Planning Exhibits

RESOLUTION NO. PC 04-24

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FOR CONDITIONAL USE PERMIT NO. CUP24-04 FOR A DEVELOPMENT AND REDEVELOPMENT OF CITY LEASE SITES 49 L 49 W, 50 L 50 W, 51 L 51 W AND 52 L 52 W AT 431, 451 AND 495 EMBARCADERO ROAD TO INCLUDE THE RENOVATION OF AN EXISTING OFFICE BUILDING, DEMOLITION OF EXISTING VACATION RENTAL BUILDINGS, AND CONSTRUCTION OF A NEW TWO-STORY BUILDING WITH EIGHT (8) VACATION RENTALS. A NEW WATER AREA WILL INCLUDE ONE (1) NEW FLOATING DOCK, (3) NEW FINGER SLIPS, AND ONE (1) FINGER DOCK SPACE WITH A LOW FLOATING DOCK FOR A KAYAK RENTAL BUSINESS. A NEW HARBORWALK CONNECTION IS PROPOSED TO CONNECT PEDESTRIANS ALONG THE EMBARCADERO TO TIDELANDS PARK.

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing on November 19, 2024, conducted in a hybrid format with both an in-person meeting at the Morro Bay Veterans Memorial Building, 209 Surf Street, Morro Bay, CA 93442 as well as through virtual public participation provided telephonically through Zoom, for the purpose of considering the approval of CUP24-04 for a redevelopment project at 431, 451 and 493 Embarcadero Road; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay as follows:

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA)

1. That for purposes of the California Environmental Quality Act, Case No. CUP24-04 is categorically exempt under Section 15301 Class 3 for new construction of limited small new facilities, and Section 15332 for in-fill development projects in urban areas.

Conditional Use Permit Findings

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Title (Title 17) and all other titles of the Municipal Code.

The proposed office, retail, restaurant, and lodging uses (proposed use) are consistent with the Waterfront zoning district.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

The project is in compliance with the General Plan and certified Local Coastal Program

as well as the Downtown Waterfront Master Plan (WMP) and will not be detrimental to the health, safety, and general welfare of persons residing or working in the surrounding neighborhood.

3. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements.

The proposed use benefits the occupant and will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements.

4. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of Title 17.

The proposed use complies with both the Zoning Code and WMP design and development standards.

5. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity.

The proposed remodel of the building at 495 Embarcadero Road, and the addition of eight (8) new vacation rental units is compatible with the surrounding waterfront businesses and reasonably foreseeable future land uses in the vicinity.

6. The site is physically suitable for the type, density, and intensity of the use being proposed.

The site is currently used as an office space and vacation rental property and therefore is physically suitable for the type, density, and intensity of the redevelopment being proposed.

Waterfront Master Plan Findings

1. The proposed project makes a positive contribution to the visual accessibility to the bay and rock and it:
 - a. Meets the Waterfront Plan height limit and maximum building coverage, bulk and scale requirements;
 - b. Preserves and enhances the views as seen from street ends;
 - c. Enhances views to waterfront through and/or around the building; and,
 - d. Maintains a pedestrian character along the Embarcadero

On the west side of the Embarcadero, in the case of granting heights greater than 17 feet, the proposed project also provides significant public benefits pursuant to the Planned Development Overlay Zone requirements

The proposed project is a response to the city's RFP to revitalize the southern terminus of the Embarcadero and will make a positive contribution to the visual accessibility to the bay and rock as identified above.

2. The proposed project provides the amenities identified in the Waterfront Master Plan, facilitates pedestrian visual and physical access to the waterfront, and takes advantage of outward views and characteristics of the topography.

The proposed project provides a new Harborwalk, public observation deck, benches and tables, as well as public access to the floating docks. From these vantage points there are many opportunities for visitors to experience the views of Morro Bay.

3. The proposed project makes a positive contribution to the working fishing village character and quality of the Embarcadero and provides an interesting and varied frontage that will enhance the pedestrian experience. The project gives its occupants and the public some variety in materials and/or their application. The project contains the elements of harmony, continuity, proportion, simplicity and balance and its appearance matches its function and the uses proposed.

The architect for this project is a longtime member of the community and has designed many of the buildings along the Embarcadero; this project will include a varied frontage that is consistent with the existing streetscape and contribute positively to the working fishing village character and quality of the area.

4. The proposed project does not diminish, either directly or by cumulative impact of several similar projects, the use, enjoyment or attractiveness of adjacent buildings and provides a visual and pedestrian transition to its immediate neighbours.

The architect for this project is a longtime member of the community and has designed many of the buildings along the Embarcadero; this project will include a varied frontage that is consistent with the existing streetscape and contribute positively to the working fishing village character and quality of the area.

Section 2. Action. The Planning Commission does hereby approve Conditional Use Permit No. CUP24-04 subject to the following conditions:

STANDARD CONDITIONS:

1. Permit: Conditional Use Permit (CUP24-04) to allow development and redevelopment of City lease sites 49 L 49 W, 50 L 50 W, 51 L 51 W and 52 L 52 W to include the renovation of an existing office building, demolition of existing vacation rental buildings, and construction of a new two-story building with eight (8) vacation rentals. A new water area will include one (1) new floating dock, (3) new finger slips, and one (1) finger dock space with a low floating dock for a kayak rental business. A new Harborwalk connection is proposed to connect pedestrians along the Embarcadero to Tidelands Park. The project zoning is WF, and the property is located within the California Coastal Commission original jurisdiction.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager (the "Director"), upon finding the project complies with all applicable provisions of the Morro

Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.

3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The Applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.
7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC, and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.
8. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

BUILDING CONDITIONS:

The codes in effect during this project review include the 2022 editions of the California Building Code (CBC), California Green Building Code (CGBC), California Plumbing Code (CPC), California Mechanical Code (CMC), California Electrical Code (CEC), and the California Energy Code (CEnC). The CBC is based on the 2021 editions of the International Building Code which was published by the International Code Council. The CPC & CMC are based on the 2021 editions of the Uniform Plumbing & Mechanical Codes which were published by IAPMO. The CEC is based on the 2020 edition of the National Electrical Code published by the National Fire Protection Association (NFPA).

GENERAL:

9. All common use public areas must be provided with vertical accessibility, and an accessible route from the public way to provided amenities.

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

10. Building permit plans shall be submitted by a California licensed architect or engineer when required by the Business and Professions Code, except when otherwise approved by the Chief Building Official.
11. The owner shall designate on the building permit application a registered design professional who shall act as the Registered Design Professional in Responsible Charge. The Registered Design Professional in Responsible Charge shall be responsible for reviewing and coordinating submittal documents prepared by others including phased and staggered submittal items, for compatibility with design of the building.
12. The owner shall comply with the City's Structural Observation Program. The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer of record or architect responsible for the structural design, to perform structural observation as defined in Section 220. Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. The structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.
13. The owner shall comply with the City's Special Inspection Program. Special inspections will be required by Section 1704 of the California Building Code and a Statement of Special Inspections is required on the structural cover sheet. All Special Inspectors shall first be approved by the Building Official to work in the jurisdiction. All field reports shall be provided to the City Building Inspector when requested at specified increments for the construction to proceed. All final reports from Special Inspectors shall be provided to the Building Official when they are complete and prior to final inspection.
14. A soils investigation performed by a qualified professional shall be required for this project. All cut and fill slopes shall be provided with subsurface drainage as necessary for stability; details shall be provided. Alternatively, submit a completed City of Morro Bay soils report waiver request.
15. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.
16. BUILDING PERMIT APPLICATION. To apply for building permits, submit three (3) sets of construction plans, fire sprinkler plans, if applicable, and supplemental documents to the Building Division.
17. The Title sheet of the plans shall include, but not limited to:
 - a. Street address, lot, block, tract and Assessor Parcel Number
 - b. Occupancy Classification(s)
 - c. Construction Type

- d. Maximum height of the building allowed and proposed
- e. Floor area of the building(s)
- f. Fire sprinklers, proposed or existing
- g. Minimum building setback allowed and proposed

All construction will conform to the 2022 California Building Code (CBC), 2022 California Residential Code (CRC), 2022 California Fire Code (IFC), 2022 California Mechanical Code (CMC), 2022 California Plumbing Code (CPC), 2022 California Electrical Code (CEC), 2022 California Energy Code, 2022 California Green Building Code (CGBC), Title 14 and 17 of the Morro Bay Municipal Code.

(Code adoption dates are subject to change. The code adoption year is established by application date of plans submitted to the Building Division for plan review.)

CONDITIONS TO BE MET DURING CONSTRUCTION:

18. Site Maintenance. During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust. A storm water management plan shall be maintained throughout the duration of the project. The storm water management measures such as fiber rolls, silt fencing, etc. will be enforced by City staff by random site visits.
19. Archaeological Materials. In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.
20. Foundation Setback Verification: Prior to the placement of concrete and upon completed form installation, a licensed surveyor is required to measure and record the distance from the proposed foundation walls to the established lot lines. The contractor shall submit these findings in letter format to the building inspector upon the request for a foundation inspection. Letter shall specify the findings of front, sides and rear yard setbacks as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case-by-case basis for some lot types.
21. Building Height Verification: Prior to roof sheathing or shear wall inspection, a licensed surveyor is required to measure and record the height of the structure. The contractor shall submit this finding in letter format to the building inspector upon the request for roof sheathing/shear wall inspection. Letter shall specify the recorded height of structure as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case-by-case basis for some site-specific projects.

22. Existing Buildings: Where windows are required to provide emergency escape and rescue openings, replacement windows shall comply with the maximum sill height requirements of section R310.2.2 and the minimum opening area requirements of section R310.2.1 of the 2022 California Residential Code.

CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY:

23. Prior to Building Division final approval all required inspections from the other various divisions must have been completed and verified by a city inspector. All required final inspection approvals must be obtained from the various departments and documented on the permit card. This permit card shall then be turned into the building division for scheduling of the final building inspection.
24. Any as-built drawings that were required by the building inspector or plans examiner must be submitted for approval prior to the request for final inspection.
25. If structural observations were required, the final structural observation report shall be submitted to the building division prior to issuance of the certificate of occupancy or final inspection approval.
26. If special inspections were required, the final special inspection report shall be submitted to the building division prior to the issuance of the certificate of occupancy or final inspection approval.
27. Final soils summary report from the geotechnical representative indicating compliance with the required conditions set forth in the soils report.
28. Final T-24 energy reports (Certificates of Installation).

FIRE DEPARTMENT CONDITIONS:

29. Demolition Site Plan, General Notes. Provide the following notation: Fire Safety During Construction and Demolition shall be in accordance with 2022 California Fire Code, Chapter 33. This chapter prescribes minimum safeguards for construction, alteration and demolition operations to provide reasonable safety to life and property from fire during such operations.
30. Fire Protection Systems and Equipment. An approved automatic fire sprinkler system shall be provided throughout this project, pursuant to Morro Bay Municipal Code, Section 14.60.200.

Submit all plans and specification sheets for the required automatic fire sprinkler system to the Fire Department for review and approval prior to installation. The sprinkler system shall be in accordance with NFPA Standard 13. All Marine floating docks and gangway construction shall be in accordance with Morro Bay Municipal Code, Chapter 14.52 and 2007 California Fire Code (Section 905), a Class III Standpipe System is Required for the proposed Floating Dock.

31. Fire Alarms. Plans and specifications for the automatic fire sprinkler system and fire alarm system shall be submitted to the Fire Department for review and approval. (CFC 1001.3 and 1001.4) The fire sprinkler and alarm systems shall be supervised by a central station and constructed in accordance with NFPA 72.

32. Hood System. The exhaust hood and duct systems of all commercial ranges, fryers, broilers, and other cooking devices shall be protected by an automatic fire protection system incorporating full surface protection and automatic fuel shut-off. There shall be a remote activation device placed along the route of egress. If the building is equipped with a fire alarm system, the activation of the hood and duct system shall initiate an alarm with a separate zone.
33. Fire Department access to equipment. Rooms or areas containing controls for Electrical, FAU, Alarm and Fire Sprinkler Systems shall be identified by approved and appropriate signage for Fire Department use.
34. Every sleeping room below the fourth story shall have at least one operable window or door approved for emergency escape or rescue that shall open directly into a public street and shall be operable from inside to provide a full, clear opening without tool. Exception 2 may apply when fully sprinklered in accordance with NFPA 13.
35. Fire Extinguishers. A minimum of one 2A-10-BC extinguisher shall be provided for each floor area, so that travel distance does not exceed 75 feet. Extinguishers shall be serviced annually and shall have a current service tag attached. (CCR, Title 19, Sec. 3.29)
36. Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction (CFC 507.1).
37. Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall not be less than the minimum specified in Table C102.1. (CFC C102.1)
38. Elevator Car to Accommodate Ambulance Stretcher. Where elevators are provided, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretched 24-inches by 84-inches with not less than 5-inch radius corners, in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3-inches high and shall be placed inside on both sides of the hoist way door frame. (MBMC 14.08.090)
39. Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings or combustible roof eave lines.
40. Key Boxes. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for lifesaving or fire-fighting purposes, the fire code official. Provide a Knox Key Box for installation to the exterior of the structure. Obtain a Knox Application from Morro Bay Fire Department during business hours.
41. Means of egress illumination. The means of egress, including the exit discharge, shall always be illuminated in the building space served by the means of egress is occupied (CFC 1006.1. Applicant shall provide a schedule of illuminated exit signs and emergency backup lighting locations and there is a readily visible sign adjacent to the doorway stating, "This Door to Remain Unlocked during Business Hours".

42. Fire Protection for Wharves, docks, marinas, boat moorings. Firefighting appliances and equipment shall be provided and maintained in an operable manner for all commercially operated marinas and dock facilities, as specified by ordinances of the city, and all installations shall be subject to the approval of the fire marshal of the fire department.

PUBLIC WORKS CONDITIONS:

The following Public Works conditions shall be satisfied prior to Building Plan submittal:

43. Stormwater Management: The City has adopted Low Impact Development (LID) and Post Construction requirements. The requirements can be found in the Stormwater management guidance manual on the City's website <https://www.morrobayca.gov/DocumentCenter/View/11828/MB-Stormwater-Management-MAIN-Manual>. Submitted "Performance Requirement Determination Form" identifies the Performance No. 1 Requirement for the project. (MBMC 14.48.140)
44. Lease Line Adjustment: A lease line adjustment is required to extend western lease line due to the proposed lease boundary line adjustments and requires payment of fees, a legal description and lease exhibit created by a licensed surveyor, a City Council Resolution approving the lease line adjustment, and a signed agreement recorded with the County. (MBMC 8.14.020)
45. Right of Way: A Special Encroachment Permit Agreement or equivalent agreement is required for structures and new design items within the city right way. (MBMC 8.14.020)
46. Frontage Improvements: The installation of frontage improvements is required. Show the installation of a new City standard driveway approach per detail B-6, replacement of 8' sidewalk per detail B-5, and replacement of curb and gutter per B-1. Show and label minimum 18" asphalt cut and pave back at all portions of curb and gutter to be installed. Add note that asphalt cut and pave back will be to need replaced at nearest clean edge per Public Works inspector recommendations. (MBMC 14.44.020)
47. ADA: All existing nonconforming sidewalks must be replaced or repaired to comply with current ADA slope requirements.
48. Construction Details: Add construction details of proposed installations.
49. Debris Barrier: A Floating Debris Barrier shall be installed around the waterside perimeter of the construction site and maintained throughout the duration of the project. Note the beginning and end termini of the Floating Debris Barrier on Construction Plans. Silt screens and/ or straw waddles may be needed to prevent demolition/repair debris and sediments from entering the bay in the area of the piling repairs. The location of screens and waddles in this area should also be noted on the plans.
50. Sewer Lateral: Indicate and label if private sewer lateral pipe will be replaced or to remain in place. If the existing sewer lateral is proposed to remain in place, then perform a video inspection of the lateral (from the clean-out at structure to the connection at the sewer mainline pipe) and submit to Public Works via flash drive, prior to building permit plan approval. Requirements for the sewer video inspection can be located on the City's website at the following location: <https://www.morro-bay.ca.us/DocumentCenter/View/13500/Private-Sewer-Line-Video-Requirements/>. Lateral shall be upgraded, repaired or replaced as required to

prohibit inflow/infiltration. All repairs or replacements identified from sewer video, shall be noted on approved set of plans, prior to plan approval. (MBMC 14.07.030)

51. Water Meter: Indicate on plans location and sizes of both water meter and water lateral. Coordinate sizes with Fire Sprinkler plans. Separate residential, commercial or industrial occupancies, if situated on the same premises and not under a common roof, shall have separate service connections and meters. (MBMC 13.04.140 & 14.04.010.C)
52. Water Backflow Prevention Device: Verify and label all new or existing water backflow preventers. Water backflow preventer devices are required for fire water systems, irrigation systems (on a dedicated water meter), systems which may change in character of use (commercial rentals, etc.), gray water systems, or any plumbing system which has cross-connections or the ability to allow water of deteriorated sanitary quality to enter the public water supply. Add note to plan that device is required to be an approved domestic water backflow prevention device. (MBMC 13.08.040)
53. County Cross-Connection Inspection: Add note to plan that contractor is required to contact the County Cross-Connection Control Program to confirm prevention device location and completed test form. The contractor must provide the city a copy of the test results. (MBMC 13.08.040)
54. Grading and Drainage: Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation, roof downspouts, and all existing and proposed drainage pipes and structures. All runoff must be directed onto vegetated areas. (CBC 107.2.1/CRC R106.1.1)
55. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC. See attached utility maps.
56. Underground Utilities: Per MBMC 17.48.050, All utility service lines to all new development, except single-family residences, on vacant lands (including the demolition and replacement of individual structures), and to major redevelopment projects, shall be undergrounded.
57. Easements: Identify and label all easements. Provide preliminary title report to verify all easements and property boundaries.
58. Detailed Erosion and Sediment Control Plan: Required for sites greater than 1/2 acre, or for building or other site disturbance proposed on slopes over 15%, or for projects located within critical areas. The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. It must include a written narrative, detailed site plan, typical drawing and details. Guidelines for the control plan may be found on the City's website at the following location: <https://www.morrobayca.gov/documentcenter/view/462/>
59. Stormwater Pollution Prevention Plan (SWPPP): The SWPPP is required for all sites over 1 acre. Prior to issuance of a building permit, the owner shall submit a Notice of Intent (NOI) to the State Water Resources Control Board (SWRCB) and develop a SWPPP according to the

requirements of a Construction General Permit. Incorporate City of Morro Bay Post Construction requirements to SWPPP. A copy of the SWPPP with the reference WDID shall be submitted to the City.

60. Inspections: Add note that erosion & sediment control inspections to be performed by the Public Works Department Inspector Matt Bishop at (805)772-6232.
61. Flood Zone Requirements: A Flood Hazard Development Permit is required. The City's Flood Hazard Prevention Ordinance describes the requirements to obtain this permit. Pertinent requirements include, but are not limited to:
- a. Submit a FEMA Elevation Certificate which will indicate the base flood elevation to be used with the proposed construction drawings. (Prior to Final Sign-off, submit an Elevation Certificate to indicate the finish elevations of the completed building.)
 - b. Verify that all mechanical and electrical machinery and controls (heating, A/C, etc.) is above BFE or flood proofed.
62. Add the following Notes to the Plans:
- a. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.
 - b. It is the responsibility of the designer and contractor to verify all utility locations and connections for the project.
 - c. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permit application and requirements are available on the City's website at the following location: <https://www.morro-bay.ca.us/197/Public-Works/>.
 - A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location).
 - A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement.
 - A water encroachment permit and water meter application shall be required for new water meter installations within the City right-of-way.
 - If a construction dumpster is used, the dumpster location shall be on private property, unless allowed by a temporary encroachment permit within the City right-of-way.

PLANNING CONDITIONS:

63. Permit Required: A Coastal Development Permit shall be submitted to the Community Development Department prior to the issuance of a building permit.
64. Floating Dock. The floating dock shall be publicly available for general public pedestrian access and either short-term or long-term use by recreational or commercial boats. Signs discouraging the public from walking on the docks during daylight hours are prohibited. The

dock shall be open to the general public during at least daylight hours (i.e. one hour before sunrise to one hour after sunset).

65. Eelgrass Survey Required. Applicant shall be subject to the California Eelgrass Mitigation Policy (CEMP) which requires that a pre-construction survey shall be completed within 30 to 60 days prior to issuance of a building permit. A post-construction survey shall be completed within 30 days of construction completion or as otherwise determined by the National Marine Fisheries Service (NMFS) to determine amount of impact if any and CEMP-required annual reporting and mitigations. Any eelgrass habitat shall be documented and reported to the Community Development Director. If the report identifies a reduction in eelgrass coverage, a plan shall be prepared to identify the appropriate mitigations necessary and in line with the specifications for mitigation of eelgrass habitat as provided for in the California Eelgrass Mitigation Policy, dated October 2014 or successor guiding document.
66. Pile Driving Activities. A Marine Wildlife Contingency Plan shall be developed and approved by the City of Morro Bay prior to the initiation of pile driving activities. This plan shall describe specific methods that will be used to reduce pile-driving noise. Power to the pile driver shall be ramped up to allow marine wildlife to detect a lower sound level and depart the area before full-power noise levels are produced. The plan shall identify a USFWS-approved biologist to monitor all construction within the water-lease area who shall be retained by the applicant. The plan shall describe on-site marine wildlife monitoring and reporting requirements as well as identify specific conditions when the biological monitor shall be allowed to stop work, such as observance of a marine mammal within 100 feet of the project area. The biologist shall be responsible to monitor for compliance with all environmental mitigation measures, and regulatory permit conditions (as applicable). The approved biological monitor shall be present onsite during construction and shall have the authority to stop construction if any individuals of southern sea otter are seen within 100 feet of the project area. Construction will be allowed to resume after sighted otters have left the 100-foot radius of the project area. The species shall not be disturbed or forced from the project site by equipment, noise, or other disruptive activity. The monitor will have discretionary authority to temporarily halt the project if it is determined that the otter, or other marine mammal, could be affected by the project, even if the animal is beyond the 100-foot boundary. All construction crew employees shall be informed on the requirements of this condition.
67. Oil Spill Response and Recovery Plan. A project-specific Oil Spill Response and Recovery Plan that includes specifics on reporting and response procedures, available on-site equipment and contracted services, and responsibilities shall be completed and approved prior to the initiation of construction activities. Specifically, the project shall include the following Best Management Practices (BMPs) and shall be included on building plans submitted for approval:
 - a. No refueling of equipment without adequate containment and spill response equipment. The barge shall have only double contained fuel storage below decks, with the spill containment and clean up kits on-site and easily accessible. Spill containment and clean up kits shall include the following:
 - b. 150 feet Absorbent Boom 200 square feet Absorbent Tarp (for use during pile driving operations)
 - c. Barrel Absorbent Pads
 - d. Container Absorbent Granules

- e. Rainwater runoff pollution from equipment stored on deck shall be prevented through ongoing equipment maintenance and appropriate double containment.
 - f. The work area shall be contained within a boom to prevent debris from falling into the water.
 - g. All equipment fueling shall take place on the barge, with containment in-place. No refueling between vessels shall occur.
 - h. An Absorption Tarp shall be placed underneath any portable equipment while in use.
 - i. No equipment shall be permitted to enter the water with any petroleum products.
 - j. All equipment used during pile driving operations shall be in good condition without fuel or oil leakage.
 - k. Should any equipment begin to leak, that equipment shall be removed immediately from the barge and repaired or replaced.
 - l. All vessels shall have portable, regularly serviced sanitation equipment. No overboard discharge is permitted.
68. Pile Driving Plan Required. Prior to issuance of a building permit, a pile driving plan and hydro acoustical noise mitigation plan shall be submitted to the Community Development Director to ensure that underwater noise generated by pile driving activities is minimized to the maximum extent feasible and does not exceed: (1) an accumulated 187 dB SEL as measured 5 meters from the source; and (2) peak dB above 208 dB as measured 10 meters from the source as determined by the Fisheries Hydroacoustic Working Group. In the instance anything other than a vibratory hammer is to be used for pile driving activities, the plan shall provide for a hydro-acoustical monitor to ensure that underwater noise generated by pile driving activities does not exceed such limits. The plan shall identify the type of method used to install pilings. Vibratory hammers shall be used where feasible; if another method is used, a bubble curtain shall be employed to contain both noise and sediment. The plan shall also provide for additional acoustical BMPs to be applied if monitoring shows underwater noise above such limits (including, but not limited to, alternative pile driving methods (press-in pile placement, drilling, dewatered isolation casings, etc.) and additional noise dampening measures (sound shielding and other noise attenuation devices).
69. Netting or Fencing. Netting or fencing around and underneath the project site shall be installed to catch and remove debris released during and after construction.
70. Turbidity-Associated Impact Mitigation. To reduce potential turbidity-associated impacts, silt screens should be used when and where they will be effective. The relatively high tidal currents within Morro Bay could reduce the effectiveness of silt screens and should be considered prior to placing of these screens.
71. Construction Hours: Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.

72. Dust Control: That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
73. Architecture: Building colors and materials shall be as shown on plans approved by the Planning Commission and specifically called out on the plans submitted for a Building Permit to the satisfaction of the Community Development Director.
74. Boundaries and Setbacks: The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Director. A copy of the surveyor's Form Certification based on a boundary survey shall be submitted with the request for foundation inspection.
75. Building Height Verification: Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and complies with the maximum height requirements as approved for this project.
76. Inspection: The Applicant shall comply with all City conditions of approval and obtain final inspection clearance from the Planning Division at the necessary time in order to ensure all conditions have been met.
77. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval for both the Conditional Use Permit and the Coastal Development Permit shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
78. Exterior Lighting and Illumination Plan: Exterior lighting and illumination shall comply with MBMC Section 17.14.090.B. A lighting plan including safety corridor lighting shall be identified on plans to be included with the building permit submittal. All lights shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties. The light level at property lines shall not exceed 0.3 foot-candles. Building plans submitted for approval shall be lighting that uses cut-off, shielded, or downward fixtures (i.e., the bulb is not directly visible) and is between 2600 and 3500 Kelvin and has a CRI of 85 or greater.
79. Vacation Rental Material Salvage and Re-Use Plan: Prior to demolition of the vacation cottage on lease site 49L, the applicant and/or his designee will submit and obtain approval for a 'Historic Preservation Plan' that outlines how building materials will be salvaged and re-used in the design of the proposed/new commercial/retail building on lease site 49L.
80. Design Review Permit: Prior to the issuance of a Building Permit, the applicant and/or his designee will submit and obtain approval for a Design Review Permit for the commercial/retail; building proposed on lease site 49L that is consistent with provisions outlined in the approved 'Historic Preservation Plan.'

81. Landscape and Irrigation Plan: A Landscape and Irrigation Plan consistent with MBMC Section 17.14.090.C shall be included with the building permit submittal.
82. Pocket Park Completion. The pocket park shall be completed and open to the public prior to the issuance of the first certificate of occupancy. A plaque and/or informational stand in memory of Reg Whibley shall be included within the boundaries of the pocket park.
83. Historical Interpretive Signs. Historical interpretive sign copy shall be reviewed and approved by the Community Development Director prior to issuance of the first certificate of occupancy.
84. Landscape and Irrigation Completion. Landscaping shall be fully installed and appropriately irrigated prior to the issuance of the first certificate of occupancy and must be maintained in a thriving condition at all times.
85. Trash Receptacles. A minimum of five trash cans with self-closing lids or other bird deterrent as approved by the Community Development Director shall be identified on plans to be included with the building permit submittal. It is the responsibility of the building tenant(s) to establish trash pickup accounts and services.
86. Bicycle Racks. A bicycle rack with a minimum capacity of holding eight (8) bicycles shall be installed within the pocket park and placed so as not to impede public pedestrian flow. The location and brand of bicycle rack shall be included with the building permit submittal. The bicycle racks shall be consistent with other city facilities or as otherwise approved by the Community Development Director.
87. Tables, Chairs and Benches. A minimum of four (4) public tables and 16 chairs, as well as three (3) public benches shall be available for general public use and shall be located in the general public plaza as indicated on the approved plans. It is the responsibility of the developer or his designee to ensure that theft or damage of these items are replaced within 14 days to the satisfaction of the Community Development Director.
88. Signage. Any new signage will require a master sign program and/or sign permit from the Community Development Director. Signs must be permitted and installed prior to each tenant receiving a certificate of occupancy.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 19th day of November, 2024, on the following vote:

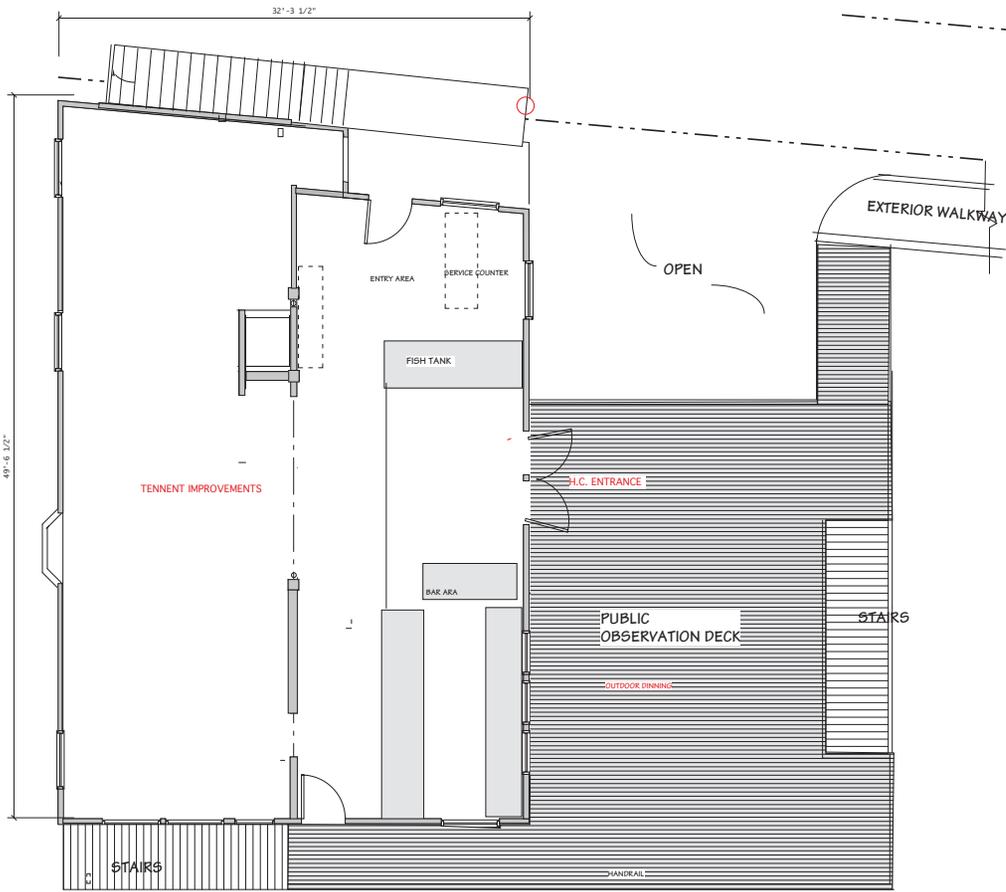
AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson William Roschen

ATTEST

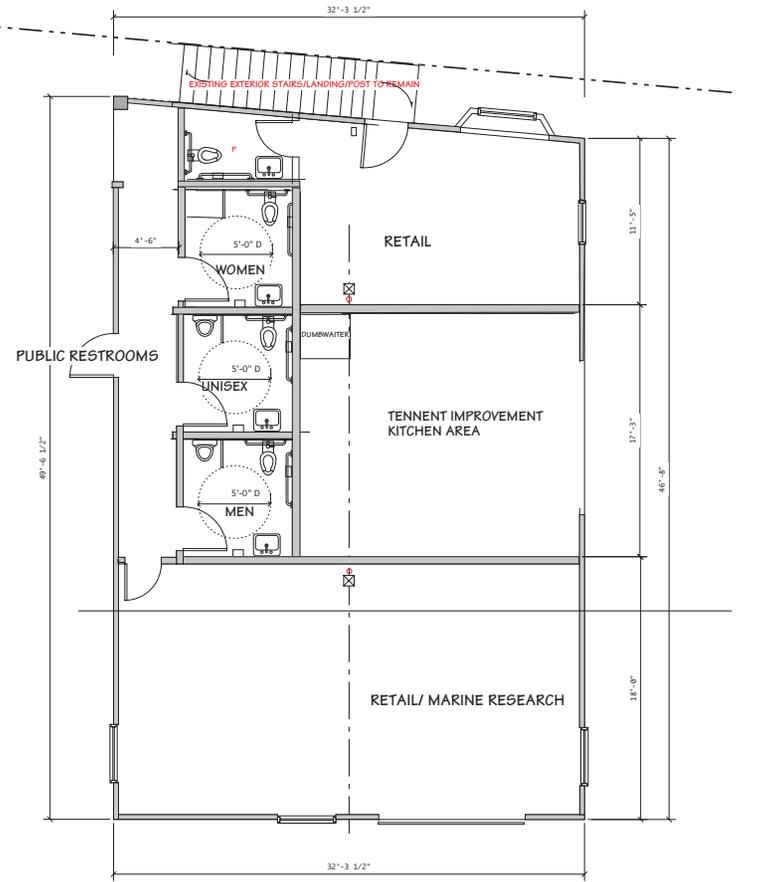
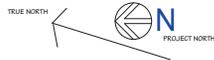
Airlin Singewald, Secretary

The foregoing resolution was passed and adopted this 19th day of November, 2024.



PROPOSED 2ND FLOOR

SCALE 1/4" = 1'-0"



PROPOSED 1ST FLOOR

SCALE 1/4" = 1'-0"



gene doughty

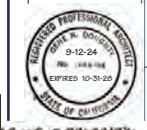
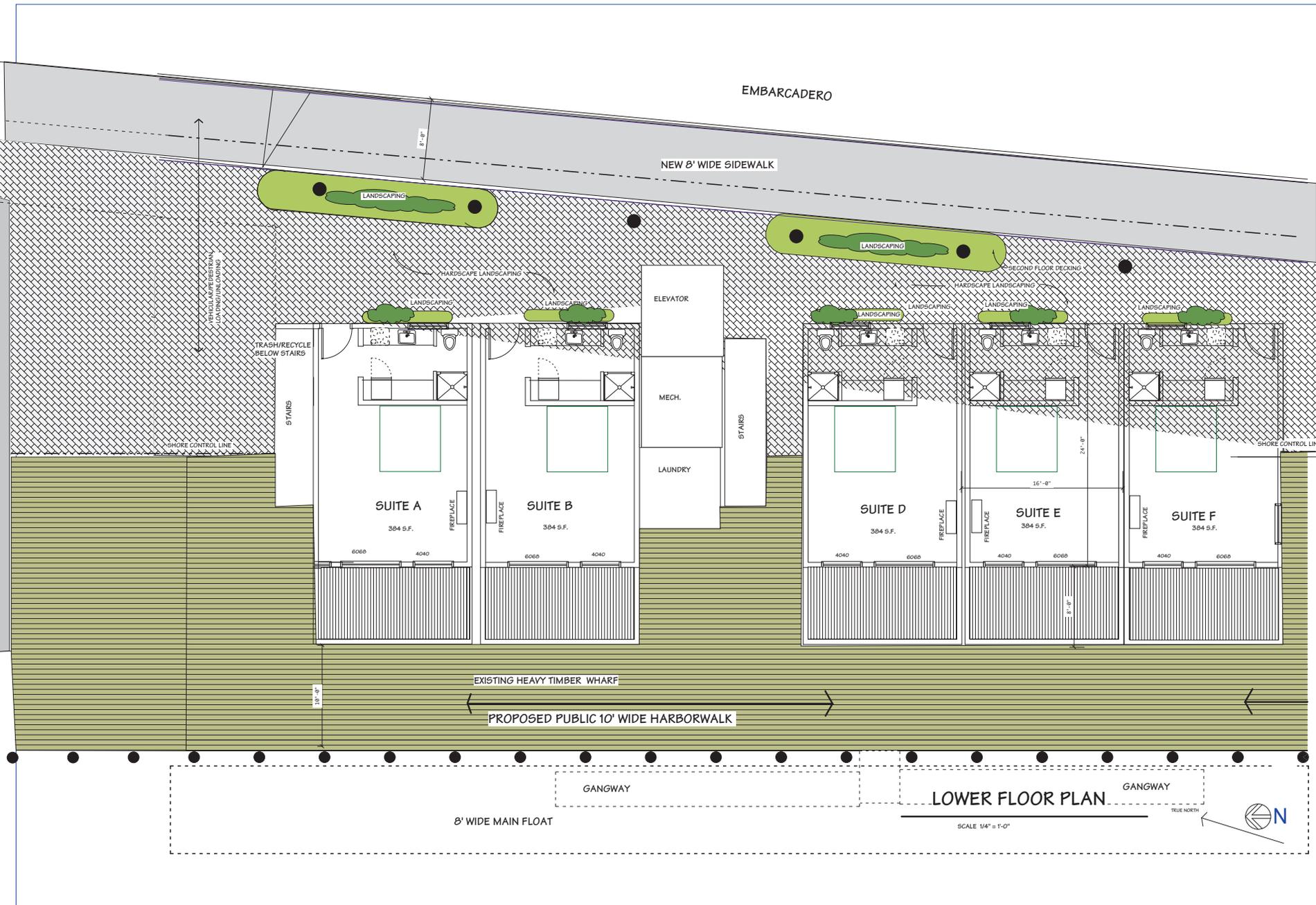
LAND/SEA INTERFACE
GENE DOUGHTY ARCHITECT
1-800-772-8436
C 10794

BAYSIDE LANDING AND SUITES
LEASE SITES 48-48W, 50-50W, 51-51W, 52-52W
PAUL E. GILLEN

REMODEL OF EXISTING
OFFICE/WORKSHOP

11-20-22
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11-20-22
SCALE AND NOTES
DATE: 11-19-24

SHEET
A-3
OF 169 SHEET



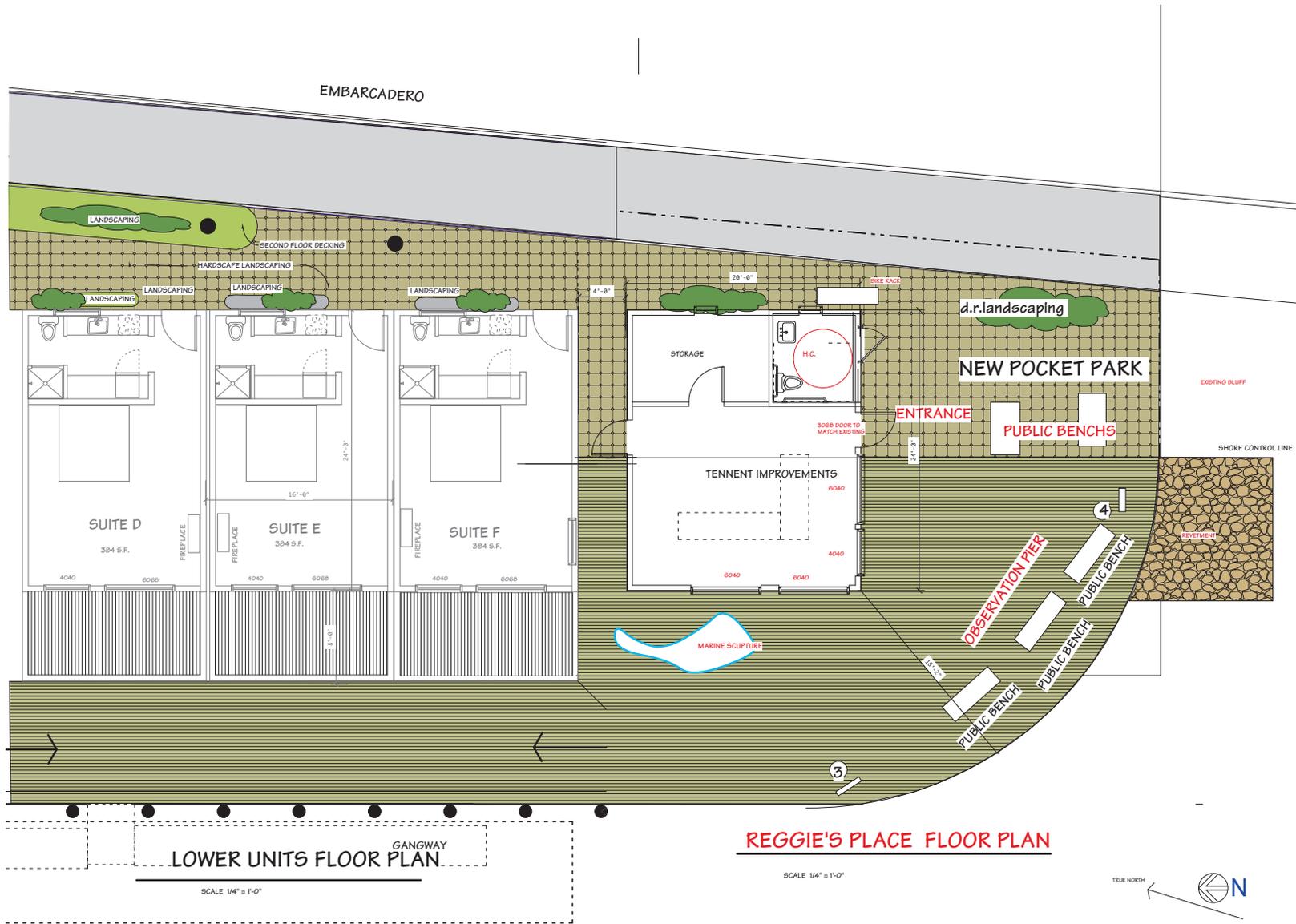
GENE DOUGHTY
 ARCHITECT
 1400 14TH AVENUE, SUITE 200
 OAKLAND, CALIFORNIA 94612
 TEL: 415.772.8436
 FAX: 415.772.8436
 WWW.GENEARCHITECT.COM

LANDISEA INTERFACE
 GENE DOUGHTY ARCHITECT
 1-800-772-8436
 C. 10/24

BAYSIDE LANDING AND SUITES
 LEASE SITES 48-48W, 50-50W, 51-51W, 52-52W
 PAUL E. GILLEN

LOWER FLOOR UNITS
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 11-03-22
 11-04-22
 11-05-22
 11-06-22
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 SCALE: AS SHOWN
 10/24/24

SHEET
A-4
 OF 129 SHEET

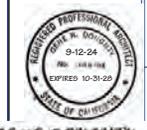


LOWER UNITS FLOOR PLAN

SCALE 1/4" = 1'-0"

REGGIE'S PLACE FLOOR PLAN

SCALE 1/4" = 1'-0"



gene doughty

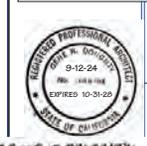
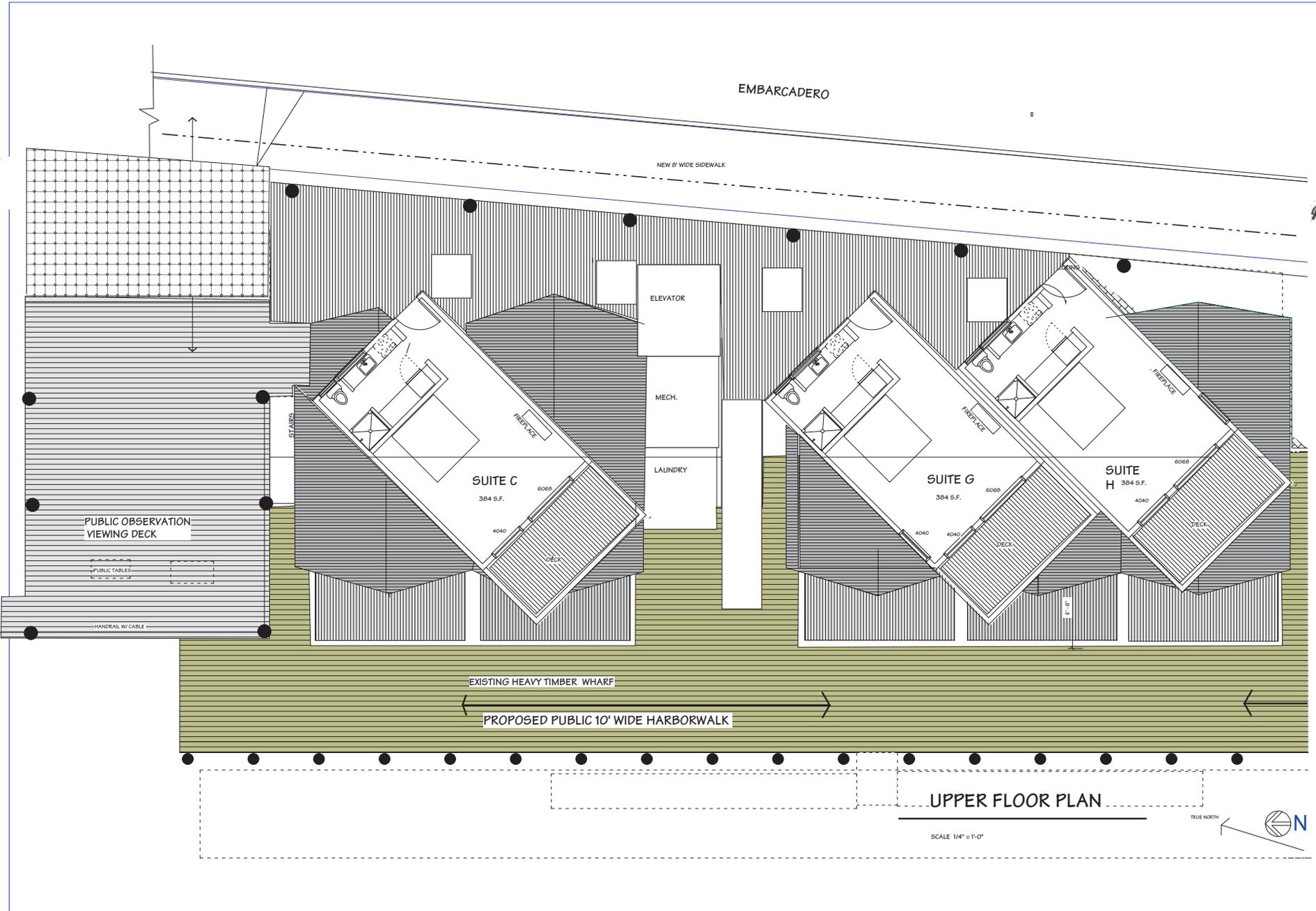
LAND/SEA INTERFACE
 GENE DOUGHTY/ARCHITECT
 1-800-772-8436
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BAYSIDE LANDING AND SUITES
 LEASE SITES 48-489150-50N051-51N152-52SW
 PAUL E. GILLEN

LOWER FLOOR UNITS

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 SCALE AND NOTES
 11/20/22

SHEET
A-5
 OF 129 SHEET

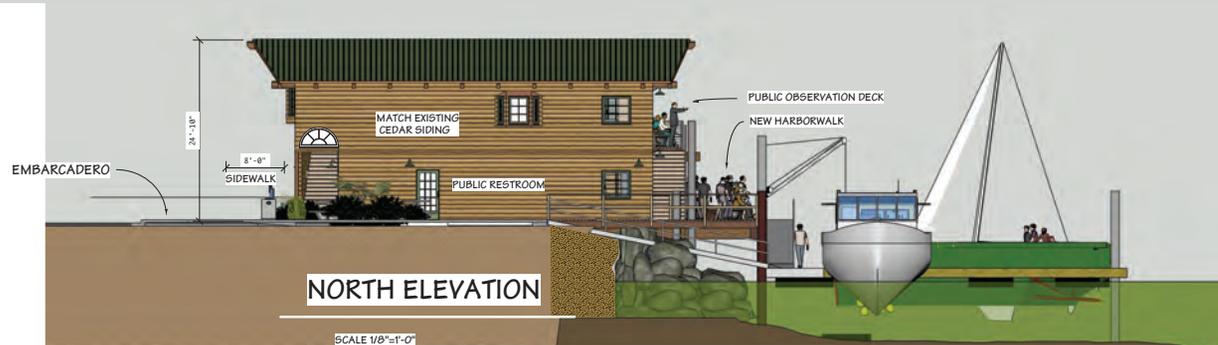


gene doughty

LAND/SEA INTERFACE
 GENE DOUGHTY ARCHITECT
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BAYSIDE LANDING AND SUITES
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 PAUL E. GILLEN

UPPER FLOOR PLANS
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gene doughty

LANDISEA INTERFACE
 GENE DOUGHTY ARCHITECT
 1-800-772-8436
 C 10794

BAYSIDE LANDING AND SUITES
 LEASE SITES 48-48W, 50-50W, 51-51W, 52-52W
 PAUL E. GILLEN

**NORTH ELEVATION
 EAST ELEVATION**

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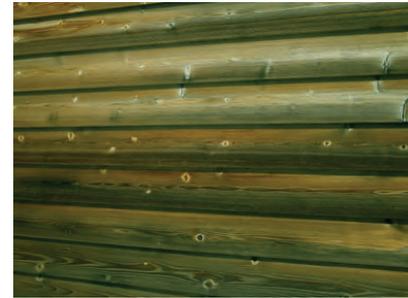
SHEET **A-8** SHEET



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EXISTING COLORS TO BE USED FOR ACCESS COLORS, TRIM, DOORS ETC.



TYPICAL SUITE COLORS



TYPICAL BLUE METAL ROOFING



TYPICAL GREEN METAL ROOFING



HEAVY TIMBER CONSTRUCTION TO REFLECT MARINE USE, PIERS, WHARFS



CONCRETE PILING\$ FOR STRUCTURAL USE



gene doughty

LAND/SEA INTERFACE
GENE DOUGHTY ARCHITECT
1-800-772-8436
C 10794

BAYSIDE LANDING AND SUITES
LEASE SITES 48-48W150-50N151-51W152-52W
PAUL E. GILLEN

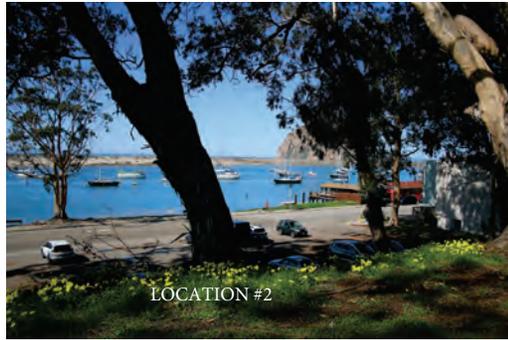
COLOR AND MATERIAL BOARD

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SCALE: AS SHOWN
DATE: 11-19-24

SHEET
A-10
OF 16 SHEET



LOCATION #1



LOCATION #2



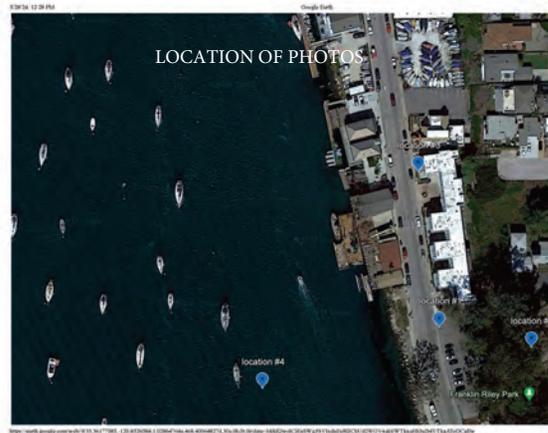
LOCATION #3



PROPOSED #1



LOCATION #4



LOCATION OF PHOTOS



gene doughty

LAND/SEA INTERFACE
GENE DOUGHTY/ARCHITECT
1-800-772-8436
C 10794

BAYSIDE LANDING AND SUITES
LEASE SITES 48-48W150-50N0515-51W1502502W
PAUL E. GILLEN

PHOTOGRAPHIC
SIMULATION

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SCALE AND NOTES
DATE: 11-19-24

SHEET
A-12
OF 16 SHEET



Staff Report

TO: Chairperson Roschen and Members of the Planning Commission
FROM: Susana Toner, Assistant Planner, Planning Division
SUBJECT: 900 Ridgeway Street; Parcel Map (PAR23-02) and Coastal Development Permit (CDP24-001)

I. PROJECT DESCRIPTION

Parcel Map (PAR23-02) and Coastal Development Permit (CDP24-001) is a proposal to subdivide two (2) existing parcels totaling 15,124 square feet (s.f.) fronting Kern Avenue into three (3) parcels fronting Ridgeway Street (see Figure 1, Location Key). The resulting parcels total 5,108 s.f., 5,025 s.f., and 5,021 s.f. The proposal also includes the demolition of an existing 530 s.f. garage located on proposed parcel 2 and the relocation of an existing 1,020 s.f. single-family home from proposed parcel 1 to proposed parcel 3. An existing 600 s.f. accessory structure historically identified as an art studio located on proposed parcel 3 will remain in place. The property is zoned Residential Single-Unit (RS-A) as is outside of the California Coastal Commission (CCC) appeals jurisdiction.

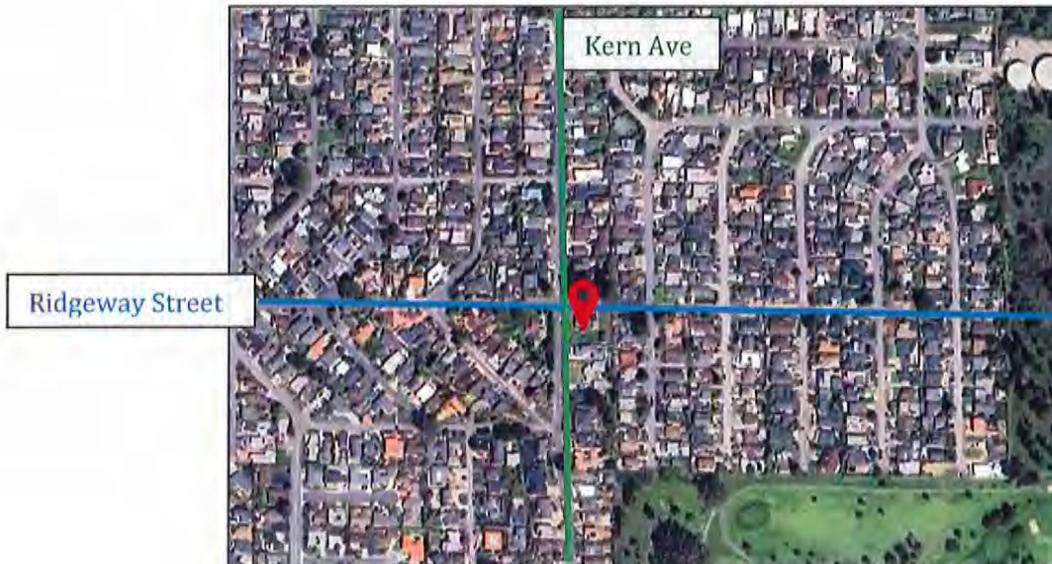


Figure 1 – Location Key

II. RECOMMENDED ACTION

STAFF RECOMMENDS THE PLANNING COMMISSION APPROVE PARCEL MAP NO. PAR 23-02 AND COASTAL DEVELOPMENT PERMIT NO. CDP24-001 FOR THE SUBDIVISION OF TWO EXISTING PARCELS INTO 3 PARCELS AS SHOWN ON PLANS DATE STAMPED AUGUST 26, 2024, BY ADOPTING THE ATTACHED PLANNING COMMISSION RESOLUTION 05-24 WHICH INCLUDES THE FINDINGS AND CONDITIONS OF APPROVAL (EXHIBIT A).

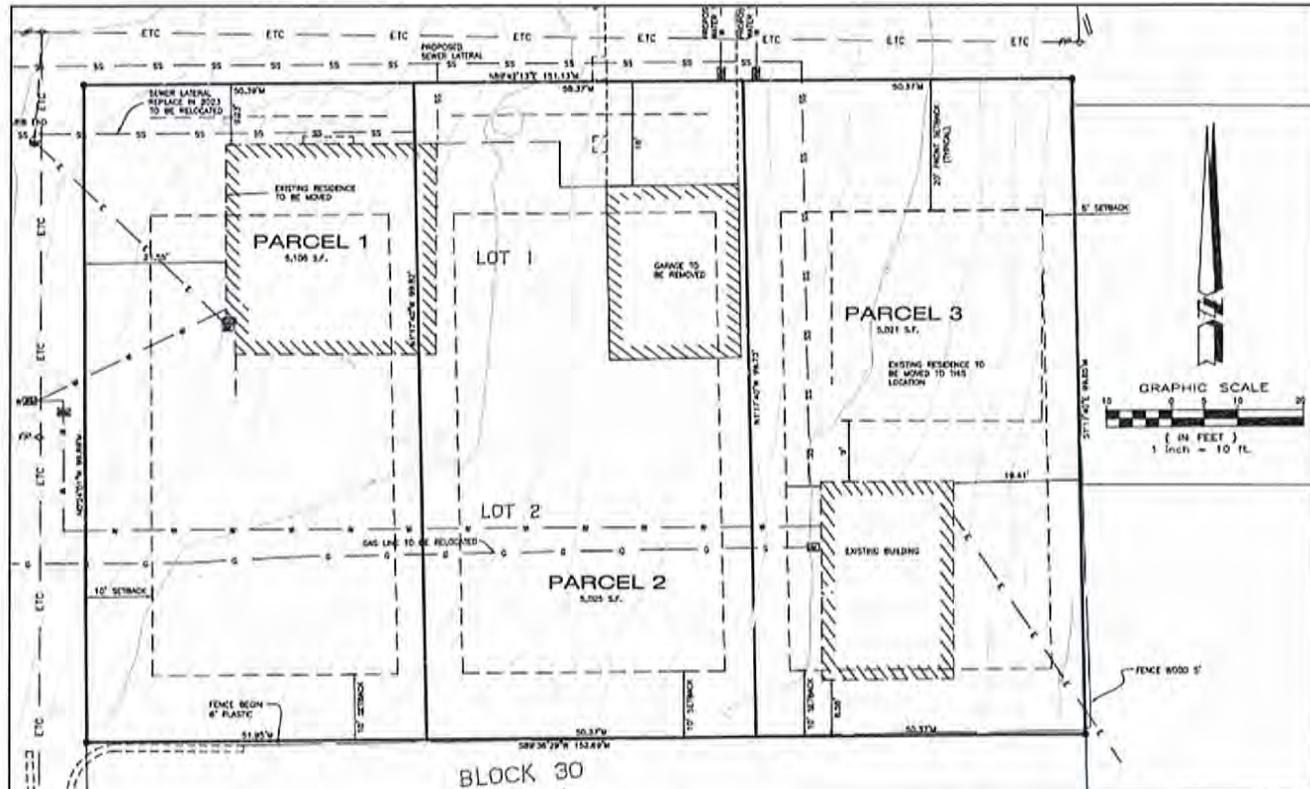


Figure 2 – Tentative Parcel Map (Exhibit B)

III. DEVELOPMENT BACKGROUND

The residence on site was built between 1925 and 1928 as a vacation cottage for property owner George Arther Martell. Mr. Martell died within a year of the cottages construction and the property was sold to the Knott family. The art studio was designed by and built for Harold Knott in 1931. The Knott family lived in Morro Bay for 91 years and influenced the art and cultural community in the City as discussed in the Historical Resources Evaluation (Exhibit C).

IV. AUTHORIZATION/GUIDELINES

Morro Bay Municipal Code (MBMC) Section 17.54.020 defines development as:

*“...change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, **including lot splits... construction, reconstruction, demolition or alteration of the size of any structure...**”*

Per MBMC Section 17.39.010, all development within the Coastal Zone requires a CDP. Exceptions and waivers apply; however, this proposed project does not qualify for any CDP exceptions or waivers. This proposed project, therefore, requires a CDP.

Per MBMC Section 16.08.240, a parcel map is required for all divisions of real property into four or fewer parcels.

Per MBMC Sections 16.16.210.A and 17.39.010.B.2, the Planning Commission is the advisory body charged with final approval of this proposed project. The final determination by the Planning Commission on this application may be appealed to the City Council pursuant to the time periods and requirements established in the MBMC for appeals.

V. ENVIRONMENTAL REVIEW

Projects requiring discretionary action are subject to the California Environmental Quality Act (CEQA) and require review for determination of appropriate documentation. An evaluation for historic resources was requested by Planning staff to consider potential impacts to the cultural environment.

A Historical Resources Evaluation (HRE) was conducted by Bertrando & Bertrando Research Consultants, in May 2024 (Exhibit C). This HRE assessed the three (3) buildings at 900 Ridgeway using the eligibility criteria for the California Register of Historic Resources (CRHR), and ultimately concluded that the residence and artist studio are significant under the CRHR eligibility criteria; and could be considered historical resources for the purposes of CEQA. The HRE concluded that the existing garage was not considered significant under any of the CRHR eligibility criteria and would not be considered a historic resource for the purposes of CEQA.

While the residence and artist studio are considered historical for the purposes of CEQA, the project will follow the recommendations and conclusions of the HRE to preserve the historic significance of the property. Planning Condition No. 50 requires a commemorative plaque on the property, as recommended by the HRE, to the satisfaction of the Community Development Director.

Through implementation of the recommendations outlined in the HRE, the historic significance of the property will be preserved and the project will be in compliance with California historic preservation laws.

CEQA Determination: The proposed project is categorically exempt from the provisions of CEQA per State CEQA Guidelines 15315 (Class 15 – Minor Land Subdivisions). Under this exemption, and with the historical analysis provided, no further environmental analysis is required.

A Notice of Exemption will be filed with the San Luis Obispo County Clerk’s Office upon final approval.

VI. PUBLIC NOTICE

Notice of this item was published in the New Times SLO newspaper on November 7, 2024 (see Figure 3), a sign was posted at the site with the project number and photo simulation (see Figure 4), and all property owners and occupants of record within 500 feet of the subject site were notified of the public hearing and invited to share their concerns on this application.



**CITY OF MORRO BAY
NOTICE OF
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Morro Bay Planning Commission will hold a **PUBLIC HEARING** on **Tuesday, NOVEMBER 19, 2024, at 6:00 p.m.** to consider the following matter. Pursuant to Assembly Bill 361 (2021-22) and Government Code section 54953, this public hearing is anticipated to be conducted in a hybrid format with both an in-person meeting at the Morro Bay Veterans Memorial Building, 209 Surf Street, Morro Bay, CA 93442, as well as through virtual public participation provided telephonically through Zoom. Staff reports, plans and other information related to this case are available for public review at the Community Development Department, 955 Shasta Avenue, Morro Bay, CA and on the City of Morro Bay website at www.morrobayca.gov/archive.aspx three (3) business days prior to the hearing. Ways to participate, watch, and submit public comment for this meeting are provided on the agenda.

Written comments are also accepted by the Planning Commission via email at planningcommission@morrobayca.gov or by mail prior to the meeting to the Community Development Department, c/o City Hall at 595 Harbor Street, Morro Bay, California, 93442. All agenda correspondence received by 10:00 AM on the meeting day will be posted on the city website.

Case No: Coastal Development Permit CDP24-001 and Parcel Map PAR23-02

Site Location: 900 Ridgeway, Morro Bay, CA

Proposal: Coastal Development Permit (CDP24-001) and Parcel Map (PAR23-02) for a three-lot subdivision. The project will include moving the existing residence to the same proposed lot as the existing art studio. This project is located in the Single Family Residential (RS-A) zoning district and is outside of the coastal appeals jurisdiction.

CEQA: Exempt under Section 15315, Class 15 for minor land subdivisions.

Staff Recommendation: Conditionally Approve

Staff Contact: Susana Toner, Assistant Planner, 805-772-6270, stoner@morrobayca.gov

Airlin Singewald
Community Development Director

November 7, 2024



Figure 3: Newspaper Notification

Figure 4: On-Site Notification

VII. PROJECT BACKGROUND

Project Team	
Applicant:	Randolph P. Ramsay Trust 5020 Caballeros, San Luis Obispo, CA 93401 (805) 441-8603 randyramsay@charter.net
Architect:	MBS Land Surveys Kerry Margason 3559 S. Higuera, San Luis Obispo, CA 93401 (805) 594-1960 kmargason@mbslandsurveys.com
Land Use	
Property Location:	900 Ridgeway Street
General Plan/Coastal Local Plan Designation:	Moderate Density Residential
Zoning Classification:	Residential Single-Unit (RS-A)
Surrounding Land Uses:	North: RS-A South: RS-A East: RS-A West: RS-A
Coastal Zone:	The project is located within the Coastal Zone, but not within the Coastal Appeals Jurisdiction.
Additional Regulatory Documents	Applicability
2018 Downtown Waterfront Strategic Plan (DWSP)	Not applicable
2015 Residential Design Guidelines	Applicable
1997 Cloisters Design Guidelines	Not applicable
Seashell Estates CC&Rs	Not applicable

VIII. ANALYSIS

Within this section, **annotations in red** portray the proposed project’s inconsistency with a specific development standard:

Subdivisions (MBMC Section 16)

Subdivision Review Committee (MBMC 16.16.060)

The subdivision review committee reviews all tentative maps before the Planning Commission. The committee met and reviewed the project with the project agent and applicant on October 10, 2024, in the Public Services Conference Room. The committee has forwarded a recommendation of approval to the Planning Commission as outlined in Exhibit D – Subdivision Review Committee Minutes.

Minimum Lot Size (MBMC Section 16.36.050)

The minimum lot size for subdivisions in RS Districts is 5,000 s.f. All three proposed parcels are over 5,000 s.f.

Zoning Code (MBMC Section 17)

Development Standards (MBMC Section 17.07)

The following table outlines the required development standards for all 3 proposed parcels, Parcel 1 and Parcel 2 shall be left vacant and any future development would be required to receive proper permitting. The third column outlines the proposed distances on Parcel 3, either to the proposed location of the residence or to the existing artist studio, whichever distance is shorter.

RS-A Development Standards (MBMC Table 17.07.030)			
<i>Development Standard</i>	<i>Required</i>	<i>Proposed – Parcel 3</i>	<i>Complies?</i>
Minimum Setbacks - Front	20 feet	20 feet	Yes
Minimum Setbacks – East Interior Side	5 feet	5 feet	Yes
Minimum Setbacks – West Interior Side	5 feet	10 feet	Yes
Minimum Setbacks - Rear	10 feet	8.58 feet (to existing accessory structure/artist studio)	No
Maximum Lot Coverage	45%	32%	Yes

The artist studio is considered an existing non-conforming accessory structure as it was lawfully established prior to the existence of the MBMC. While it does not comply with the rear minimum setback required, it may remain provided there is no alteration, enlargement, or addition. Additionally, the nonconforming structure is not deemed a public nuisance because of health and safety conditions and has not been abandoned or vacated.

Fences and Freestanding Walls (MBMC Section 17.23.050)

Fences are not proposed as a part of this project. Any future fence proposal shall conform to MBMC 17.23.060.

Landscaping (MBMC Section 17.14.090.C)

Per Section 17.25.030, 50% of the front and corner side setbacks shall be landscaped. Landscaping plans shall be submitted at the time of building permit application.

Parking and Loading (MBMC Section 17.27)

The project includes demolition of the existing dilapidated garage; however, residential uses require two (2) parking spaces per unit. Parcels 1 and 2 shall provide parking with future development. Parcel 3 shall provide two (2) 9'x20' parking spaces outside of the front setback for the residential unit on the proposed parcel. The parking spaces will be shown on the plans submitted during the building permit process.

Residential Design Guidelines (2015)

A. Relationship to Homes in Immediate Neighborhood

The existing residence, while an example of an architecture style not commonly seen on the California Coast, is cohesive with the homes in the immediate neighborhood. The project will maintain the architectural integrity of the existing residence and the front door currently facing Ridgeway will remain that way.

B. Scale and Mass

The project consists of relocating an existing single-story home with a shed roof dormer on the West side, giving the appearance of a one and a half story residence. The existing home is consistent with the scale and mass of the neighborhood consisting of one- and two-story homes.

C. Surface Articulation

The existing residence has articulation through symmetrical windows and the dormer breaking up the gable roof.

D. Building Orientation

The existing residence has a front entryway visible from Ridgeway Street.

E. Garage and Driveway Design

The project includes the demolition of the existing garage. The proposed location of the residence would consist of much of the linear frontage of Parcel 3, the driveway would consist of less than 50% of the proposed frontage.

F. Building Materials

The building materials on the existing home are consistent throughout the exterior. All the windows and trim material are consistent throughout the building.

G. Architectural Elements

The architectural features of the New England style of the existing residence are balanced throughout the structure.

H. Additions to Existing Homes

The existing home does have two additions that were not original to the residence with materials not consistent with the original residence, the additions are not in stable condition and will not be included in the relocation.

I. Privacy

The windows on the east elevation of the existing residence are smaller scale than those on the west elevation. This could mitigate any potential privacy concerns of the existing residences to the East.

J. Landscaping

A landscaping plan will be provided with the building permit plans, consistent with MBMC Section 17.25.

IX. PLANNING COMMISSION ACTION

Approval as recommended: If the Planning Commission intends to approve this proposal, the Commission should approve a motion to approve PAR23-02 and CDP24-001, stating that the proposal satisfies the requisite findings, and adopt the attached Resolution that incorporates the requisite environmental and permit findings and the conditions of approval.

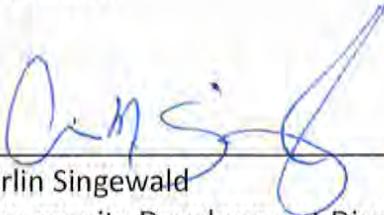
Approval with modifications: If the Planning Commission intends to approve this proposal with modifications as discussed on the record, the Commission should approve a motion to approve PAR23-02 and CDP24-001 as based on the record, direct staff to amend the staff report accordingly, stating that the amended staff report will satisfy the requisite findings, and adopt a Resolution that will incorporate the requisite environmental and permit findings and the conditions of approval, as modified by the Commission.

Denial: If the Planning Commission intends to deny this proposal, the Commission should approve a motion to deny PAR23-02 and CDP24-001, stating that the finding(s) of the proposal does not satisfy with reasons based on the record, and direct staff to prepare a resolution for adoption at the next meeting that incorporates the Commission's decisions and specific findings.

Continuation: If the Planning Commission intends to continue this proposal, the Commission should approve a motion to continue PAR23-02 and CDP24-001 and direct staff to work with the applicant to revise the proposal in the meantime.

If any Planning Commissioner or other interested party has questions or comments regarding this matter prior to the meeting, please contact Susana Toner, Assistant Planner, at 805-772-6270, or by email at stoner@morrobayca.gov.

Approved:



Airlin Singewald
Community Development Director

- | | |
|-----------|--------------------------------------|
| Exhibit A | Planning Commission Resolution 05-24 |
| Exhibit B | Tentative Parcel Map Exhibit |
| Exhibit C | Historical Resources Evaluation |
| Exhibit D | Subdivision Review Committee Minutes |

RESOLUTION NO. PC 05-24

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FOR PARCEL MAP
APPLICATION NO. 23-02 AND COASTAL DEVELOPMENT PERMIT NO. CDP24-001 FOR
THE SUBDIVISION OF 2 ADJACENT LOTS INTO 3 LOTS,
AT 900 RIDGEWAY STREET

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing on November 19, 2024, conducted in a hybrid format with both an in-person meeting at the Morro Bay Veterans Memorial Building, 209 Surf Street, Morro Bay, CA 93442 as well as through virtual public participation provided telephonically through Zoom, for the purpose of considering the approval of the PAR23-02 and CDP24-001 for the subdivision of 2 lots into 3 lots located at 900 Ridgeway Street; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay as follows:

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA)

1. That for the purposes of the California Environmental Quality Act, Case Nos. PAR23-02 and CDP24-001 are categorically exempt under Section 15315 Class 15 for minor land subdivisions.

Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

Coastal Development Permit Findings

1. ***LCP Consistency.*** *The project is consistent with the LCP.*

Plan Morro Bay was adopted in 2021, encompassing both the City’s General Plan and Coastal Land Use Plan (LCP). The project falls within the General Plan’s land use designation of Residential Single-Unit, which is intended to provide areas for detached and attached single-

unit housing at densities up to seven units per net acre. In addition, this District provides for uses such as schools and parks that may be appropriate in a low- or moderate-density residential environment.

2. *Public Views.* *The project protects or enhances public views.*

Plan Morro Bay includes various policies related to the protection and enhancement of coastal public views. This project, however, is not located along the coast and therefore does not negatively impact coastal public views.

3. *Habitat Protection.* *The project protects vegetation, natural habitats and natural resources consistent with LCP.*

The Conservation Element of Plan Morro Bay addresses the use and preservation of natural resources to improve the environmental quality of Morro Bay. While this property is located within mapped known environmentally sensitive habitat areas or habitat locations within the Conservation Element and the project exceeds the required buffer requirement and therefore is not expected to compromise existing vegetation, natural habitats or natural resources with proper erosion control measures.

4. *Design Consistency.* *The design, location, size, and operating characteristics of the proposed development is consistent with applicable LCP design requirements, including design plans and area plans incorporated into the LCP.*

Plan Morro Bay designates the City of Morro Bay Zoning Code as the regulatory authority for implementation of coastal requirements including allowed uses, development standards, and coastal resource protection standards. The design, size, location, and operating characteristics of this project is consistent with Sections 17.07, 17.08, and 17.23 of the Morro Bay Zoning Code.

5. *Coastal Access.* *The project protects or enhances public access to and along the coast.*

Plan Morro Bay includes various policies related to the protection and enhancement of public access to and along the coast. This project, however, is not located along the coast and therefore does not negatively affect public access to and along the coast.

6. *Visitor Serving.* *The project supports the LCP goal of providing for visitor-serving needs as appropriate, including providing low and no cost visitor and recreational facilities.*

Plan Morro Bay includes various policies related to visitor-serving needs. This project, however, is the replacement of an existing residential use and is therefore not required to provide low and no cost visitor and recreational facilities.

7. *Appropriate Use.* *The project is consistent with the allowed LCP uses associated with the property.*

Plan Morro Bay was adopted in 2021, encompassing both the City's General Plan and Coastal Land Use Plan (LCP). The project falls within the General Plan's land use designation of Residential Single-Unit, which is intended to provide areas for detached and attached single-unit housing at densities up to seven units per net acre. In addition, this District provides for

uses such as schools and parks that may be appropriate in a low- or moderate-density residential environment.

Plan Morro Bay designates the City of Morro Bay Zoning Code as the regulatory authority for implementation of coastal requirements including allowed uses, development standards, and coastal resource protection standards. The design, size, location, and operating characteristics of this project is consistent with Sections 17.07, and 17.23 of the Morro Bay Zoning Code.

8. Coastal Resources. *The proposed development protects or enhances coastal resources, where applicable.*

Plan Morro Bay includes various policies related to the protection or enhancement of coastal resources. This project site is within the Cultural Resources Overlay and will protect any potential resources through an Archaeological Monitoring Report and monitoring during all ground disturbing activities.

9. Environmental Justice. *The project addresses whether proposed development results in environmental justice impacts, consistent with LCP environmental justice policies. When relevant, the project includes mitigation measures to minimize or eliminate potential adverse and/or disproportionate impacts of development on environmental justice communities.*

The project does not trigger environmental justice impacts. No mitigation measures are required to minimize or eliminate potential adverse and/or disproportionate impacts of development on environmental justice communities.

10. Hazards. *The proposed development is consistent with the LCP's coastal hazards provisions.*

Coastal hazards include, but are not limited to, episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, coastal flooding, landslide, bluff and geologic instability, and the interaction of same, and all is impacted by sea level rise. This project, however, is not located along the coast and therefore is not subject to the LCP's coastal hazards provisions.

Section 2. Action. The Planning Commission does hereby approve Parcel Map No. PAR23-02 and Coastal Development Permit No. CDP24-018 subject to the following conditions:

STANDARD CONDITIONS:

1. Permit: Parcel Map (PAR23-02) and Coastal Development Permit (CDP24-001) for the subdivision of two adjacent lots into three lots at 900 Ridgeway Street. The project zoning is RS-A, and the property is not located within the coastal appeals jurisdiction. The property is located outside of the Cultural Resources overlay area.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed herein shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.

7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.
8. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

BUILDING CONDITIONS:

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

9. Building permit plans shall be submitted by a California licensed architect or engineer when required by the Business & Professions Code, except when otherwise approved by the Chief Building Official.
10. The owner shall designate on the building permit application a registered design professional who shall act as the Registered Design Professional in Responsible Charge. The Registered Design Professional in Responsible Charge shall be responsible for reviewing and coordinating submittal documents prepared by others including phased and staggered submittal items, for compatibility with design of the building.
11. The owner shall comply with the City's Structural Observation Program. The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer of record or architect responsible for the structural design, to perform structural observation as defined in Section 220. Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. The structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.
12. The owner shall comply with the City's Special Inspection Program. Special inspections will be required by Section 1704 of the California Building Code. All Special Inspectors shall first be approved by the Building Official to work in the jurisdiction. All field reports shall be provided to the City Building Inspector when requested at specified increments in order for the construction to proceed. All final reports from Special Inspectors shall be provided to the Building Official when they are complete and prior to final inspection.
13. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.
14. A soils investigation performed by a qualified professional shall be required for this project. All cut and fill slopes shall be provided with subsurface drainage as necessary for stability; details shall be provided. Alternative, submit a completed City of Morro Bay soils report waiver request.
15. BUILDING PERMIT APPLICATION. To apply for building permits submit three (3) sets of construction plans to the Building Division.
16. The Title sheet of the plans shall include:
 - a. Occupancy Classification(s)

- b. Construction Type
- c. Maximum height of the building allowed and proposed
- d. Floor area of the building(s)
- e. Fire sprinklers proposed or existing
- f. Minimum building setback allowed and proposed

All construction will conform to the 2022 California Building Code (CBC), 2022 California Residential Code (CRC), 2022 California Fire Code (IFC), 2022 California Mechanical Code (CMC), 2022 California Plumbing Code (CPC), 2022 California Electrical Code (CEC), 2022 California Energy Code, 2022 California Green Building Code (CGBC), Title 14 and 17 of the Morro Bay Municipal Code.

(Code adoption dates are subject to change. The code adoption year is established by application date of plans submitted to the Building Division for plan review.)

CONDITIONS TO BE MET DURING CONSTRUCTION:

- 17. **SITE MAINTENANCE.** During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust.
- 18. **ARCHAEOLOGICAL MATERIALS.** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.
- 19. **FOUNDATION SETBACK VERIFICATION:** Prior to the placement of concrete and upon completed form installation, a licensed surveyor is required to measure and record the distance from the proposed foundation walls to the established lot lines. The contractor shall submit these findings in letter format to the building inspector upon the request for a foundation inspection. Letter shall specify the findings of front, sides and rear yard setbacks as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case-by-case basis for some lot types.
- 20. **BUILDING HEIGHT VERIFICATION:** Prior to roof sheathing or shear wall inspection, a licensed surveyor is required to measure and record the height of the structure. The contractor shall submit this finding in letter format to the building inspector upon the request for roof sheathing/shear wall inspection. Letter shall specify the recorded height of structure as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case-by-case basis for some site-specific projects.
- 21. **EXISTING BUILDINGS:** Where windows are required to provide emergency escape and rescue openings, replacement windows shall comply with the maximum sill height

requirements of section R310.2.2 and the minimum opening area requirements of section R310.2.1 of the 2022 California Residential Code.

CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY:

22. Prior to Building Division final approval all required inspections from the other various divisions must have been completed and verified by a city inspector. All required final inspection approvals must be obtained from the various departments and documented on the permit card. This permit card shall then be turned into the building division for scheduling of the final building inspection.
23. Any as-built drawings that were required by the building inspector or plans examiner must be submitted for approval prior to the request for final inspection.
24. If structural observations were required, the final structural observation report shall be submitted to the building division prior to issuance of the certificate of occupancy or final inspection approval.
25. If special inspections were required, the final special inspection report shall be submitted to the building division prior to the issuance of the certificate of occupancy or final inspection approval.
26. Final soils summary report from the geotechnical representative indicating compliance with the required conditions set forth in the soils report.
27. Final T-24 energy reports (Certificates of Installation).

PUBLIC WORKS CONDITIONS:

The following Public Works conditions are required at the time of Final Map submittal and prior to Final Map Recordation:

28. Public Improvements: Approved public improvement plans are required prior to Final Map recordation. Public Improvement requires the installation of a widen street per City Collector Street detail A-2, standard driveway approach per detail B-6, sidewalk per detail B-5, curb and gutter B-1, Type A-2 and street tree (one per every 50' frontage) along both the Ridgeway Street and Kern Avenue frontage. Show and label minimum 18" asphalt cut and pave back at all portions of curb and gutter to be installed. Add note that asphalt cut and pave back will need to be replaced at nearest clean edge per Public Works inspector recommendations.
29. Final Map and Associated Documents & Fees: Approved and signed final map with associated documents (i.e. CC&R, Closure Calcs, Subdivision Agreement, etc)

The following conditions are required prior to building permit plan approval and issuance:

30. Stormwater Design: The City has adopted Low Impact Development (LID) and Post Construction requirements. All proposed projects must complete the "Performance Requirement Determination Form" and identify new and replaced impervious surfaces, to determine if any requirements should be submitted. The requirements can be found in the Stormwater management guidance manual on the City's website

<https://www.morrobayca.gov/DocumentCenter/View/11114/MB-Stormwater-Management-EZ-manual> Note: All runoffs must be directed onto vegetated areas prior to overflowing into the street.

31. Compaction: All public improvements and driveways require a third-party compaction test to be submitted to the Public Works Inspector prior to final inspection.
32. Sewer Lateral: Indicate and label if private sewer lateral pipe will be replaced or to remain in place. If the existing sewer lateral is proposed to remain in place, then perform a video inspection of the lateral (from the clean-out at structure to the connection at the sewer mainline pipe) and submit to Public Works via flash drive, prior to building permit plan approval. Requirements for the sewer video inspection can be located on the City's website at the following location: <https://www.morro-bay.ca.us/DocumentCenter/View/13500/Private-Sewer-Line-Video-Requirements>. Lateral shall be upgraded, repaired or replaced as required to prohibit inflow/infiltration. All repairs or replacements identified from sewer video, shall be noted on approved set of plans, prior to plan approval.
33. Sewer Backwater Valve: Indicate and label sewer backwater valve on plan. Any sewer lateral upon any premises which services fixtures whose elevation is lower than the elevation of the first upstream sewer manhole rim, lamp hole, or pump station, shall be protected from backflow of sewage by installing backwater valves. Exception: Installation of backwater valve shall not be required when it is determined that the intent and purpose of this section is otherwise met. (MBMC 14.07.010.C)
34. Water Meter: Indicate on plans location and sizes of both water meter and water lateral. Coordinate sizes with Fire Sprinkler plans. (MBMC 13.04.010 & 14.04.010.C)
35. Grading and Drainage: Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation, roof downspouts, and all existing and proposed drainage pipes and structures. All runoffs must be directed onto vegetated areas. (CBC 107.2.1 / CRC R106.1.1)
36. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.
37. Erosion and Sediment Control Plan: For small projects less than 1/2 acre and less than 15% slope, provide a standard erosion and sediment control plan. Show on plans the type and location of the control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. Guidelines for the control plan are found on the City's website at the following location: <https://www.morrobayca.gov/documentcenter/view/462>
38. Add the following Notes to the Plans:
 1. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.
 2. It is the responsibility of the designer and contractor to verify all utility locations and connections for the project.

3. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permit application and requirements are available on the City's website at the following location: <https://www.morro-bay.ca.us/197/Public-Works>.
 - A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location).
 - A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement.
 - A water encroachment permit and water meter application shall be required for new water meter installations within the City right-of-way.
 - If a construction dumpster is used, the dumpster location shall be on private property, unless allowed by a temporary encroachment permit within the City right-of-way.

PLANNING CONDITIONS:

39. **Archaeology:** In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.
40. **Construction Hours:** Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
41. **Dust Control:** That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
42. **Architecture:** Building colors and materials shall be as shown on plans approved by the Planning Commission and specifically called out on the plans submitted for a Building Permit to the satisfaction of the Community Development Director.
43. **Boundaries and Setbacks:** The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Director. A copy of the surveyor's Form Certification based on a boundary survey shall be submitted with the request for foundation inspection.
44. **Building Height Verification:** Prior to foundation inspection, a licensed land surveyor shall measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall

submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and complies with the maximum height requirements as approved for this project.

45. Inspection: The applicant shall comply with all City conditions of approval and obtain final inspection clearance from the Planning Division at the necessary time in order to ensure all conditions have been met.
46. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval for both the Parcel Map and the Coastal Development Permit shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
47. Exterior Lighting: All lights shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties. The light level at property lines shall not exceed 0.3 foot-candles. Building plans submitted for approval shall be lighting that uses cut-off, shielded, or downward fixtures (i.e., the bulb is not directly visible) and is between 2600 and 3500 Kelvin and has a CRI of 85 or greater.
48. Landscape and Irrigation Plan: A Landscape and Irrigation Plan consistent with MBMC Section 17.25 shall be included with the building permit submittal.
49. Parking Plan: A parking plan shall be included with the building permit submittal.
50. Commemorative Plaque: A Commemorative Plaque shall be reviewed and approved by the Community Development Director and installed prior to issuance of certificate of occupancy.
51. Historic Resource: Any alterations to the building façade must be consistent with the Historical character of the existing residence as analysed by the Historical Evaluation Report.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 19th day of November, 2024 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

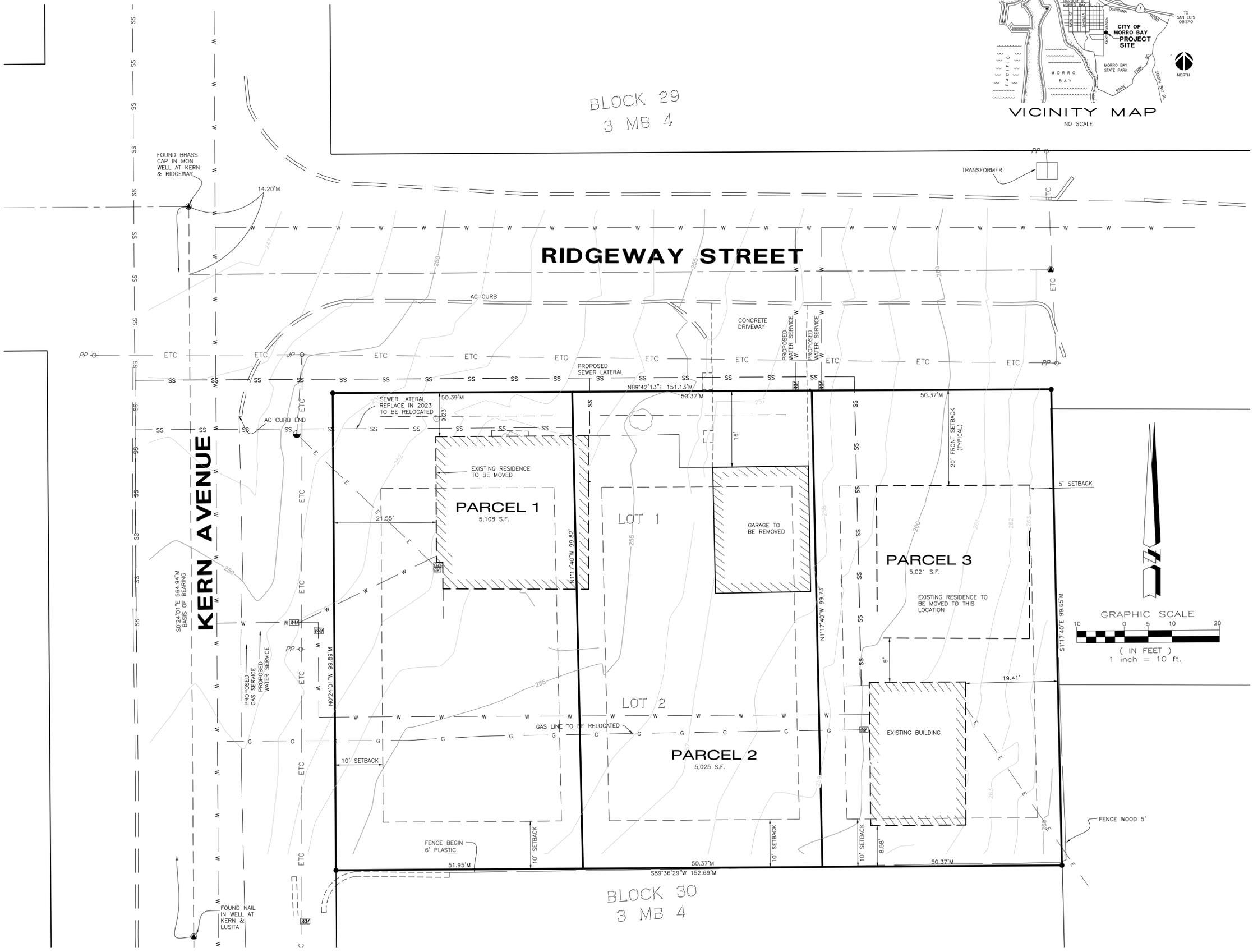
Chairperson William Roschen

ATTEST

Airlin Singewald, Secretary

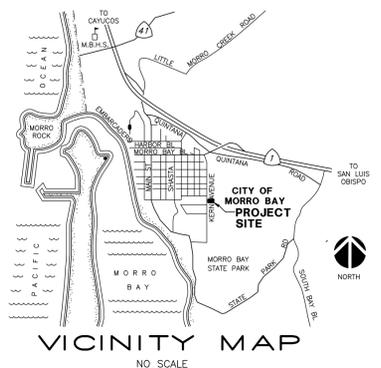
The foregoing resolution was passed and adopted this 19th day of November, 2024.

N:\2021\21-038 - 900 Ridgeway Street - Morro Bay\City\21-038 900 RIDGEWAY TPA.dwg, 24x36 TPA, Aug 26, 2024 12:45pm, LRRichardson



BLOCK 29
3 MB 4

BLOCK 30
3 MB 4



SYMBOL LEGEND:

-x-	FENCE LINE	[Symbol]	RETAINING WALL
-SS-	SEWER MAIN	[Symbol]	PG&E BOX
-W-	WATER MAIN	[Symbol]	GAS METER
-G-	GAS MAIN	[Symbol]	TELEPHONE BOX
-ETC-	ELEC/TELEPHONE/CABLE	[Symbol]	SIGNAL BOX
-OHE-	OVERHEAD ELECTRIC	[Symbol]	CABLE T.V. BOX
[Symbol]	DROP INLET AT CURB	[Symbol]	ELECTRIC BOX
[Symbol]	DROP INLET	[Symbol]	TELEPHONE MANHOLE
[Symbol]	STORM DRAIN MANHOLE	[Symbol]	STREET LIGHT
[Symbol]	FIRE HYDRANT	[Symbol]	JOINT POLE
[Symbol]	WATER WELL	[Symbol]	POWER POLE
[Symbol]	WATER VALVE	[Symbol]	GUY WIRE
[Symbol]	WATER METER		
[Symbol]	SEWER MANHOLE		
[Symbol]	SEWER CLEANOUT		
[Symbol]	MONITORING WELL		

ABBREVIATIONS

AC	ASPHALT CONCRETE	IP	IRON PIPE
AP	ANGLE POINT	GB	GRADE BREAK
BM	BENCH MARK	GM	GAS METER
BLDG	BUILDING	HP	HIGH POINT
BOW	BACK OF WALK	LT	LIGHT
CB	CATCH BASIN	MH	MANHOLE
CF	CURB FACE	PP	POWER POLE
CO	CLEAN OUT	PVC	POLYVINYL PIPE
COL	COLUMN	RB	REBAR
COR	CORNER	RCF	REINFORCED CONCRETE PIPE
CONC	CONCRETE	R10	CANOPY RADIUS
CMP	CORRUGATED METAL PIPE	SD	STORM DRAIN
CMU	CONCRETE MASONRY UNITS	SL	POINT ON SLOPE
CRN	CROWN OF STREET	SS	SEWER
DI	DROP INLET	STP	STEP
EG	EXISTING GRADE	STR	STAIRS
EP	EDGE OF PAVEMENT	TOP	TOP OF SLOPE
FD	FOUND	TOE	TOE OF SLOPE
FL	FLOW LINE	TW	TOP OF WALL
FF	FINISH FLOOR	W	WATER
FW	FACE OF WALL	WL	WALL
HSE	HOUSE COR	WM	WATER METER
GR	GRASS	WV	WATER VALVE
GM	GAS METER		
IP	IRON PIPE		

DI-1.5FL TOP OF GRATE -1.5' FLOW LINE



8/26/24

SUBDIVISION NOTES:

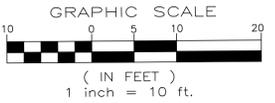
OWNER:
RANDOLPH P. RAMSAY TRUST
900 RIDGEWAY STREET
MORRO BAY, CA 93442
805-441-5603

ASSESSOR'S PARCEL NUMBER:
066-241-022

ZONING:
R1

SURVEYOR:
MICHAEL STANTON, PLS
MBS LAND SURVEYS
3559 SOUTH HIGUERA STREET
SAN LUIS OBISPO, CA 93401
805-594-1960
ATTN: KERRY MARGASON
kmargason@mbslandsurveys.com

UTILITIES:
WATER & SEWER: CITY OF MORRO BAY
ELECTRIC: PG&E
TELEPHONE: AT&T
CABLE TV: SPECTRUM
GAS: SOUTHERN CAL GAS



BENCH MARK:
THE BENCH MARK FOR THIS PROJECT IS THE FOUND CENTERLINE MONUMENT AT KERN AVE AND RIDGEWAY DRIVE WITH AN ELEVATION OF 245.86' PER NAVD 29.

BASIS OF BEARINGS
THE BASIS OF BEARINGS FOR THIS PROJECT IS BASED ON FOUND MONUMENTS ALONG KERN AVE, FROM THE NORTHERLY CENTERLINE OF KERN & RIDGEWAY TO THE SOUTHERLY CENTERLINE OF KERN & LUSITA BEARING S 0° 24' 01" E.

SITE DATA:
ADDRESS: 900 RIDGEWAY ST, MORRO BAY, CA 93442
ASSESSOR'S PARCEL NO. APN 066-241-022

TENTATIVE PARCEL MAP NO. MB 22-0063

LOTS 1&2 OF BLOCK 30 OF MORRO HEIGHTS AS SHOWN ON MAP FILED IN BOOK 3 OF MAPS AT PAGE 4, IN THE CITY OF MORRO BAY, COUNTY OF SAN LUIS OBISPO, CALIFORNIA

AT THE REQUEST OF RANDY RAMSAY

MBS LAND SURVEYS
MICHAEL B. STANTON, PLS 5702
3559 SOUTH HIGUERA STREET
SAN LUIS OBISPO, CA 93401
805-594-1960

FEBRUARY 26, 2021 JOB# 21-038

HISTORIC RESOURCE EVALUATION



The Knott Studio

**900 Ridgeway Street
Morro Bay, CA
APN 066.241.022**



The Knott Residence

**Prepared for: Randy Ramsay
5020 Caballeros Avenue
San Luis Obispo, CA**

**Prepared by: Betsy Bertrando
Bertrando & Bertrando Research Consultants
267 East Foothill Boulevard
San Luis Obispo, CA 93405**

May 2024

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APPENDIX A: Project Location Maps

APPENDIX B: Art Studio Plans Drawn by Harold Knott

ABSTRACT

A request was made by the owner, Randy Ramsay, to conduct an historic building evaluation for structures on his property located at 900 Ridgeway Street in Morro Bay that are over fifty years old. The studio, constructed by one of the original Morro Bay Art Colony founders, meets the criteria for significance of historic structures as defined by the California Environmental Quality Act (CEQA). The original portion of the residence, constructed in 1925, additionally meets the criteria under architecture as the residence of the artist. The garage is a contributing element.

INTRODUCTION

The research carried out to complete this study was conducted by Betsy Bertrando, of Bertrando & Bertrando Research Consultants (BBRC), who was assisted in the field by Luther Bertrando. The project property (APN 066. 241.022) is depicted on the Morro Bay South 7.5 quadrangle topographic map as existing in Morro Bay at 900 Ridgeway Street (Appendix A). The purpose of this study was to evaluate the existing structures for historic significance in accordance with CEQA, Public Resources Code and local guidelines.

PROJECT DESCRIPTION

The historic building evaluation has focused on a thorough search of all available records that pertain to the architecture and ownership history of the parcel and residence up to the present. The study also includes the history of previous owners and their relationship to the property through interviews and the internet. The owner is proposing to subdivide two parcels into three, moving the existing residence to another part of the subdivision to be on the same parcel and demolish a garage.

METHODS

Historic background information for the building and the property history was gathered to establish the structure's architectural history, background, historical use and people associated with the property. Resources used to produce this report came from the following sources.

Archival Research

Archival information was taken from historic literature, maps, directories, newspapers and documents found in the following sources. Permit history for the property available at the Morro Bay Community Development Department was generously shared by Susana Toner, Assistant Planner. Kevin and Kimberly Meyers were contacted for permission to use photographs of the Knott family from their Harleigh Knott website. The original blueprints and

plans for the property were shared by the current owner, Randy Ramsay. Resources consulted include:

- *The private archive of Bertrando & Bertrando Research Consultants* - publications, maps and documents essential to the project.
- *Online sources*; the San Luis Obispo County Clerk/Recorder indices, San Luis Obispo County Assessor, California Digital Newspaper Collections and [ancestry.com](https://www.ancestry.com).
- *Non commercial online sources for Knott included*; [harleighknott.com](https://www.harleighknott.com) produced by Kevin and Kimberly Meyer; [themovement.com](https://www.themovement.com) architectural tour of Morro Bay by Eric Meyers; and The Morro Bay Historical Society site [historicalmorrobay.org](https://www.historicalmorrobay.org); [oldmorrobay.com](https://www.oldmorrobay.com).

Field Investigation

The field investigation took place on April 30, 2024. The purpose of the investigation was to record and photograph the setting and exterior of the residence on the property. Survey assistance was provided by Luther Bertrando. Notes were written focusing on the original features of the house and property. Important information collected included:

- Architectural features within the context of the “Historical Period of Significance”
- Type of construction and materials used
- Modifications through time
- Grounds, setting and landscaping

SIGNIFICANCE CRITERIA

Effective in February 1999, changes made to the California Environmental Quality Act of 1970 (CEQA) removed thresholds of significance from the main document and relied upon criteria set forth in Public Resources Code, Section 5024.1 Title 14 CCR Section 4852. These revisions to qualifying criteria for determining the significance of a resource include the following;

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage.
2. Is associated with the lives of persons important in our past.

3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic value.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Cultural resources displaying one or more of these criteria, may be considered significant and thereby subject to special measures of avoidance or evaluation prior to any potential impacts. If impacts cannot be avoided then a mitigation plan is normally developed. CEQA directives regarding mitigation of cultural resources are also addressed in the Public Resources Code.

HISTORICAL CONTEXT

Morro Bay Prior to 1847

A scattering of native villages clustered around the fresh water sources from the creeks that entered Morro Bay prior to European arrival. The estuary, marine terraces and bay provided an abundance of food for the native population. The first European explorer to see Morro Rock was Juan Cabrillo as he sailed past in 1542. Cabrillo named the edifice *El Moro*, but it wasn't until 1769, that the first land expedition led by Gaspar de Portolá passed by heading north to find Monterey Bay. After leaving camp by the estuary in Los Osos, one of the diarist for the group, Juan Crespí, noted that Morro Rock was separated from the land during high tide. The field draft, written September 9, 1769, by Crespí is the first description of Morro Bay.

“The small valley of the village of San Adriano, Saint Adrian, belonging to La Navidad de María Santisima. This spot lies very close to the shore, the harbor that I spoke of being in sight from here, with the harbor mouth in front of this place; but we have been able to see clearly that there is no passage into it, for it is breakers everywhere. In front of us we have a quite high, round island rock; and a very high mountain range is in view a long way off, now that the weather has cleared a little this afternoon. Impossible to make an observation, as nearly the whole day it was very overcast.” (Brown 2001:491).

Three years later, Mission San Luis Obispo de Tolosa was established in 1772. The back valleys surrounding Morro Bay were used as grazing land by the mission. After Mexico won its independence from Spain, the lands formerly under the control of the mission were granted to citizens of Mexico. Three large tracts of land were granted that surrounded Morro Bay from the north to south; the Ranchos Moro y Cayucos, San Bernardo and Canada de Los Osos.

The American Period

In 1847, the Treaty of Hidalgo ceded California to the United States. The ranchos began to change ownership and settlers began to trickle into the county. Franklin Riley and his wife Hannah filed for 160 acres of bay front property in 1861 (Homestead Declaration Book A:24). The Morro Township was established and Riley built the Embarcadero and the first house in

1870. Starting a small nursery, it was Riley who introduced the eucalyptus and cedar into the area to help control damage from the blowing sands (Hammond 2010). In 1872, Carolan Mathers surveyed and filed the first map of the township. Lots were still available over ten years later (The Library Associates 1993). Population estimates ranged between 100 to an optimistic 250 during the 1870s. Becoming a hub for the growing dairy industry, the area also engaged in the cultivation of flax, potatoes and hay. Another early settler was Ezra Stocking who kept a store and ran the first post office.

A partnership between Captain Williams and Franklin Riley in the early 1870s was formed to construct a new wharf and warehouse to provide regular service for transporting goods and merchandise between San Francisco and Morro Bay. A small shipping business was established, but the harbor was never really successful until 1878. At that time, lumber dealers Jones and Shepard acting as agents for a Santa Cruz lumber company, began shipping lumber down from the mills in Santa Cruz unloading at the two wharves in Morro Bay. The Morro Lumber Company supplied redwood and pine to the local community (Angel 1883). The same year, crops were successful and the outlook brightened for the harbor.

After 1900, the population grew as land speculators began to carve up the large tracts into small lots. E. G. Lewis developed the Atascadero Beach, constructing an hotel, beach cottages and a golf course on his 3,000 acres that were subdivided to enhance his Atascadero Colony (Lewis 1974). The Los Angeles firm of Miller and Murphy developed three large parcels totaling 1600 acres called Morro Bay Vista that included the Cabrillo Country Club. The promotional efforts focused on appealing to people living in the interior valleys as a way of escaping the hot summers. Camping, clamming, boating, duck hunting and fishing were features that brought visitors to Morro Bay.

The depression ended the dreams of the developers and they were looking for a buyer. The State of California picked up the Cabrillo Country Club in 1934. It became one of the first State Parks in California. The California Conservation Corps (CCC) crews began planting eucalyptus windbreaks and established a work camp. The Morro Bay State Park included an extensive bay frontage. The final park was due to cost \$132,000 and included about 1500 acres, golf course, tennis courts and camping ground (House of Representatives Document 283 - 1941). Improvements to the harbor by the government became based on Morro Bay being a potential recreational area for pleasure craft and developing commercial fishing.

Things soon changed as the Great Depression effectively brought an end to the real estate transactions. Developers went broke. Harbor work was being done by the Works Progress Administration (WPA) during the 1930s and early 1940s. They filled in the north entrance channel and built the north breakwater resulting in the causeway that tied Morro Rock to the land in 1936. WPA was also responsible for the revisions to the golf course and adjacent Morro Bay State Park and Campground. Quarrying Morro Rock, that began during the 1890s, continued until 1963. Morro Rock became State Historical Landmark #821 in 1968. That effectively ended the quarrying activities.

World War II brought other changes to Morro Bay. Starting in 1940 with 100 acres of waterfront land that grew to 250 acres, an amphibious training base was established by the navy coast-patrol (Castle and Ream 2006). The facility included two “T” piers, rows of Quonset huts and large administrative buildings. Much of the navy base was in and around the land that was later taken over by P G & E for its power plant (now decommissioned).

The fishing industry that began shipping to the San Francisco Market in the 1890s continues to catch fish today, albeit in a smaller scope. In 1953, there were 75 fishing boats using Morro Harbor (Gates and Bailey 1982). A strong abalone industry formed and peaked between 1930 and 1960. It resulted in piles of abalone shells near the processing plants (Castle and Ream 2006).

After many attempts during the 1950s, in 1964 Morro Bay was finally incorporated. The process started by the Chamber of Commerce President Vernon D. Crass was not an easy one (Gates and Bailey 1982). The growth that began in the early 1900s slowly began again. Vacation cottages and small retirement homes became the face of Morro Bay.

FINDINGS

Archival Research

Early Land Ownership - Olmstead Ranch

The property at 900 Ridgeway was once a part of the Olmstead Ranch. The wharf and warehouse that were constructed in 1878 to bring lumber down from the mills at Santa Cruz brought John Franklin Olmstead to Morro Bay. Mr. Olmstead had been living in Santa Cruz with his wife Clara and his father-in-law who was a lumberman. In 1885, Olmstead purchased the 160 acres that became the Olmstead Ranch. The Olmstead house and barn were located south of the 500 block of Morro Bay Boulevard (Gates and Bailey 1982). Through the turn of the century, Olmstead was still farming his land in Morro Bay and his wife was a piano teacher. However, records show that later John and Clara had a house in San Luis Obispo where he lived until he died in 1912.

Attracted by the thriving dairy industry, many workers immigrated to Morro Bay from Portugal, Italy and Switzerland, among them was Joe Silva in 1908. Silva came to the area from the Azores and worked at first as a cheese maker in the dairy industry. He later leased the Olmstead Ranch in Morro Bay and raised beans until the land was purchased in the 1920s by the Morro Heights syndicate (Gates and Bailey 1982).

The Development - Morro Heights

The project parcel is on a part of the old Olmstead Ranch which was purchased in the 1920s by James Goulding and his Morro Heights syndicate. The Olmstead Ranch was purchased

for \$25,000 and was subdivided in 1922 (Deed Book 30/255). The deeds came with nine covenants.

The syndicate of fourteen investors was made up of people both local and from elsewhere in the state. The map for the Morro Heights subdivision was surveyed in 1922 by W. W. Hughes (Figure 1). It is bounded on the west by Piney Way and on the east by Kings and Kern Avenues. It goes north to south from Fourth Street to Luisita Avenue. The 1937 Map of Morro Bay produced by the Sanborn Map Company depicted no coverage for the area between Piney Way and Kern Avenue. Both streets ended at Olive Street before Morro Heights was developed.

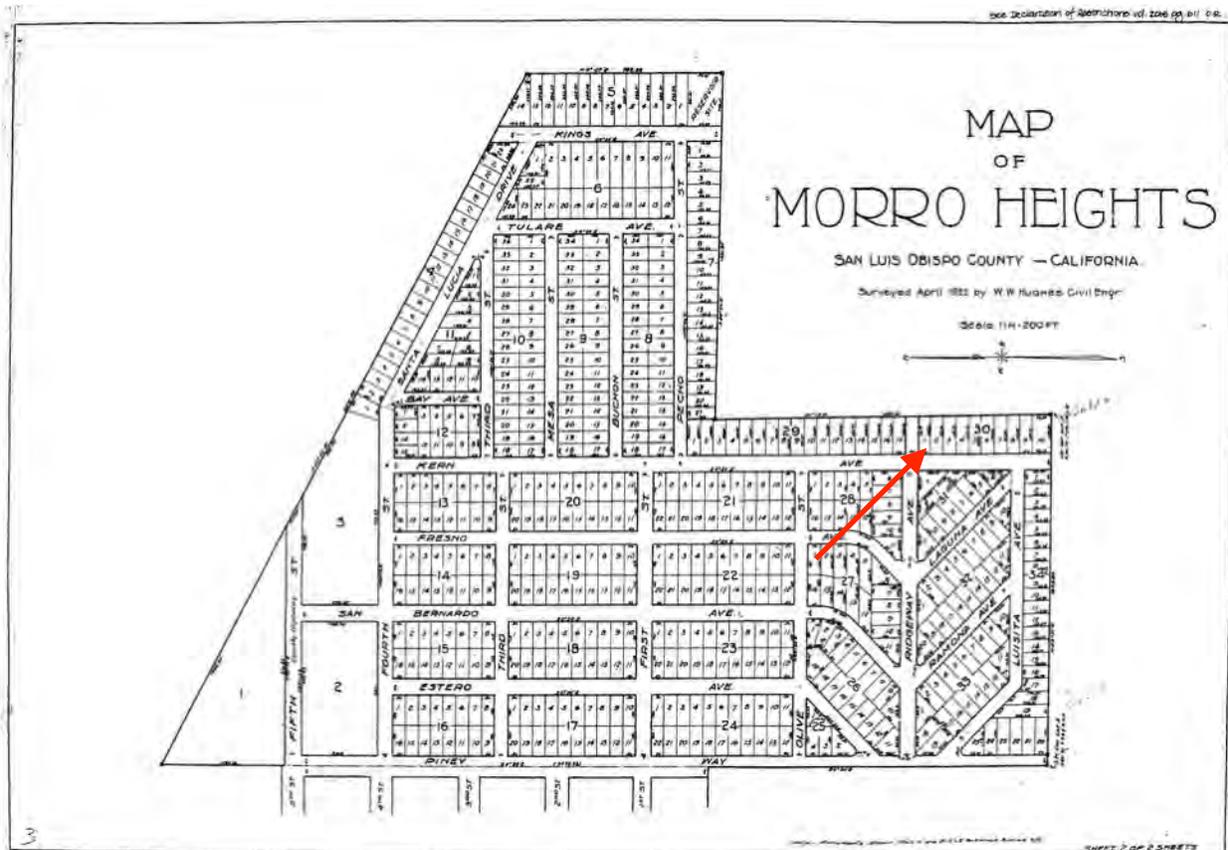


Figure 1: 1922 Morro Heights Subdivision - Red Arrow Points to 900 Ridgeway Avenue

Prices varied on the lots within the Morro Heights Subdivision with lots on Ridgeway Avenue priced the highest at \$500 and on Kern Avenue about \$150. The Gouldings first lived in a redwood house on the southwest corner of Ridgeway and Kern. Both were energetic and involved members of the Morro Bay community. However, the depression halted the sale of the lots and the syndicate liquidated and divided the unsold lots to members of the syndicate.

James M. Goulding

Born in 1874, Goulding worked in Vermont for eleven years at the Vermont Marble Company before heading west. He became interested in mining and tourism locating at the Grand Canyon. Goulding's special aptitude for the hotel business brought him to the Mission Inn in Riverside. After three years he accepted the assistant manager position at the Paso Robles Hot Springs Hotel. Later in 1913, Goulding purchased the Andrews Hotel in San Luis Obispo. Difficulty in managing the two hotels forced Goulding into selling the Andrews Hotel and focusing his efforts in Paso Robles (Morrison and Haydon 1917).

The Morro Bay Art Colony

A lively group of artisans, artists, writers and craftsman gathered in Morro Bay in the 1920s and 1930s. They formed a colony with several based in the Morro Heights. Some were formerly British citizens, some preferred the quieter coast and drifted in from the art colonies at Carmel and Laguna Beach. Others came to paint intermittently and return home to other parts of the world. Many became famous for their images of the central coast. They were joined by craftsmen, designers, sculptors, writers, and photographers, all with a love for the untouched scenic beauty found along the coast and inland hills. The Colony took hold in the early 1920s and became more formal with the first meeting of the Morro Bay Art Association in 1951 held in the Morro Heights (Moses 2001). Today, new names have added to the work produced in Morro Bay, as the tradition for creativity continues.

Pre 1950 Sampling of Nationally Known Members of the Art Colony

William Frederic Ritschel

In 1911, William Frederic Ritschel came to Spooner's Cove camping in the summer to paint (*The Tribune* March 29, 1934). Based in Carmel, he was an international known artist who was born in Nuremberg, Germany, and was based in Carmel. William was also a set designer and is known for the stone castle he built in 1921 in the Carmel Highlands. Perhaps the first to paint the Morro, he was soon followed by others. His returning from time to time to paint was always mentioned in the newspapers of the day.

William Wendt

Another early artist was William Wendt who visited often to paint and was based in Laguna Beach after he arrived in California in 1906. Wendt was known as the Dean of the Southern California landscape painters and was founding member of the California Art Club. He often came to visit Morro Bay painting the landscape with his student, Aaron Kilpatrick. In 1915, several paintings of Morro Bay by Wendt were exhibited throughout the country. The press concluded that Wendt was largely responsible for establishing the Morro Bay Art Colony when he discovered the coastal scenic wonders (*The Tribune* Sept. 6, 1924).

Charles Hoxley Robinson

Charles (Robbie) Robinson was born in 1862 in Illinois. Coming to Morro Bay in 1920, he was Art Director for WPA projects. Considered “ ‘Dean’ ” of the Morro Bay Artists’ Colony” Robbie was a noted watercolorist (*The Tribune* June 8, 1940). Robbie painted, did lithographs, pottery, carved, wove rugs and made the scenery for the local stage productions. One of his backdrops still exists. A well known figure around Morro Bay for many years, Robbie was certainly the biggest booster for the local community of artists until he died in 1945.

Aaron Edward Kilpatrick

Born in Canada in 1872, Aaron Edward Kilpatrick first came to Morro Bay on an automobile trip in 1916. He had established a commercial art business in Eagle Rock, Los Angeles, by 1907. He sold his successful business to devote his time to painting in 1922.

“Aaron Kilpatrick, an artist of note, who last summer immortalized the beauties of Morro bay and the surrounding country on canvas, has returned to Morro for the summer with Mrs. Kilpatrick and expects to remain for two months or more. Mr. Kilpatrick states that some of the most artistic and sensitively beautiful studies of his career as an artist....were made last summer during his stay at Morro.” (*The Tribune* July 9, 1923)

He spent his summers in Morro Bay until he built a home and studio there in 1928. Aaron received national prominence and some said he was the first to discover the beauty of Morro Bay. His paintings continue to reach four and five figure prices with a record at Christie’s for \$10,575 in 2000. Aaron continued to paint here and was one of the initial three to meet in Morro Heights at the home of Ruth Pasko to establish the Morro Bay Art Association in 1951 (Moses 2001). Aaron was perhaps one of the best known artists working in the area until he died in 1953.

Charlotte Butler Skinner

Coming to Morro Bay in 1932, Charlotte Skinner had already been painting since 1926. She had a studio at her home on 370 Olive Street and was an active participant in the Morro Bay Artist community through the 1950s. Her work was, and is, exhibited throughout the American West. More recently she was featured in the Smithsonian Magazine which described her high desert paintings, several of which they own. No mention was made of her long time home and studio in Morro Bay, but that she was “The under-celebrated 20th century painter... near her home in Lone Pine, California, where she spent almost three decades painting, printmaking and teaching classes.” (*Smithsonian Magazine* - Sept/Oct 2023)

900 Ridgeway Street Owners - Lots 1 and 2, Block 30

Lot 1

Lot 1, on the corner of Ridgeway and Kern, was first purchased in 1925 by George Arthur Martell (Deed Book 001/399). Representing the syndicate was J. M. Goulding who actually was living across the street at the time. George, was a reverend in Berkeley before moving to the county where the Martells had made plans to build a vacation cottage on the property. By the time the cottage was constructed, George died the following year in Paso Robles. In 1928, Belle sold the property to Rachel Thayer Knott. The notary was Stella Goulding, James wife.

Lot 2

In 1927, the adjacent Lot 2 was sold to Edee H. Percival of San Francisco, by another of the syndicate, F. A. Carpenter (Deed Book 030/041). Before 1930, Lot 2 was sold to Harold and Rachel Knott providing space to build an art studio for Harold.

Both lots currently include three structures; residence, garage and art studio. The Knott family that identified with the art and cultural community of Morro Bay had lived there for 91 years.

Arthur Harold and Rachel Thayer Knott

Harold Knott was born in Canada in 1883 and grew up in Vermont. He later studied at the Pratt Institute of Design and the Art Students League in New York. He created interiors for theaters, hotels and taught painting before coming to live in California (*The Tribune* - April 18, 1977). He came first to the art colonies of Laguna Beach and Carmel before coming to Morro Bay (Figure 2). In 1927, he was one of the founding members of the Carmel Art Association. Harold was first noted in the local press when it took note of his presence. "Knott an artist of Monterey, is spending some time on Morro Heights. He is reported to be enthusiastic about the scenery here" (*The Tribune* - Mar 28, 1928). Later in May, a marriage license was issued to A. Harold Knott, 44 years old of Carmel to Rachel Thayer Dunlap age 35 of Hartford. The next year daughter, Harleigh, was born followed by a sister Nona in 1931 (Figure 3. During this time, Rachel is often mentioned as coming to San Luis Obispo to visit and do business while Harold painted on the Morro.



Figure 2: Harold Knott in Carmel 1923



Figure 3: Knott Family Picnic at Morro Bay Park c. 1930s

Rachel Thayer Knott, born in 1892, was the daughter of the Mayor of Norwich, Connecticut. When first leaving home she began her travels, living in South America and later in London. It was London where she married a Canadian Doctor, Captain Harry Dunlop. Dunlop was killed in WW I and the widow Rachel returned enrolling in Stanford to pursue her interests in English and the classics.

In 1931, the newspapers headlined, “Morro Mecca for Art Lover’s,” while covering the March Art Show in Morro Bay (*Pismo Times* - April 24, 1931). “Knott visits and admires Morro Bay” was reported, although Knott was already living there (*The Pismo Times* - April 24, 1931). By September, 1931, the Knott’s had acquired Lot 2 and were having an art studio constructed at the back of the Lot 2 (*The Tribune* - Sept 12, 1931). The studio and other improvements were completed the following month (*The Tribune* - Oct. 28, 1931).

Throughout the 1930s, there were many long articles about exhibits in the county and elsewhere that the “Morro Bay Art Colony” had participated in. Many artists names were mentioned, but three were always listed. The newspaper boasted that within that the Morro Art Colony, Kilpatrick, Knott and Robinson had made permanent homes in the community with attractive studio bungalows (*The Tribune* - April 30, 1934).

The Knott’s called the house “Little House of the River Winds” although no one is quite sure why. Social and business affairs at the Knott home were always conducted by Rachel. She continued her interest in writing, doing columns for the newspaper. Rachel wrote a booklet, “A Morro Miscellany” in 1932, edited and wrote for “The Scribbler’s Quarterly” (Gates and Bailey 1982). During the Depression, Harold supported his family going back to his early studies as an interior designer (Castle and Ream 2006).

In 1942, the Knott family moved into a small neighbors cottage and formed two apartments from their residence to accommodate officers and their families during WW II. Knott continued painting holding memberships in the California Art Club and other art associations. Rachel spent quite a bit of time trying to get the Morro Bay Chapter of the American Association of University Women (AAUW) formed and died in 1957 just as the paperwork had been approved. By the time Harold died in 1977, his work had been shown nationally (*The Tribune* - April 18, 1977).

Harleigh Knott

Harleigh Knott followed her parent's footsteps and went to Stanford earning a degree in history and by later studying at the New York School of Interior Design (Figure 4). She traveled, lived and worked in other places in the world, but always came back to Palo Alto, working at Stanford in the History Department. After returning to live in Morro Bay in 1984, Harleigh worked as a librarian at the Morro Bay High School. Retiring in 1996, she continued to travel and write about her many varied interests. After 90 years, her extraordinary life is remembered on the web site harleighknott.com, where her annual letters, photographs and the story of her life has been made available by Kevin and Kimberly Meyers. After her death in 2019, the property was sold to the current owner, Randy Ramsay.



Figure 4: Harleigh Knott 1968

Permits and Plans

The current owner graciously shared a series of 1925 plans and blue prints for a summer two story cottage for Belle Martell, produced by Miller and Warneke, Architects in Oakland. The project shrank to a smaller scale with a reduced 2nd-story and repositioning of the fireplace to an interior wall. Included in the documents were sketches made by Harold Knott for his 1931 studio. These included a 10 ft by 18 ft side addition for a small bedroom, bath and kitchen that were never built.

Curiously, a very rough, undated sketch of proposed further development of the property was also drawn by Harold Knott. It depicted three lots facing Kern. On the corner was the existing cottage with the garage followed by a proposed dwelling, gallery and garage facing Ridgeway. The middle lot had a proposed single garage facing Kern with the studio at the back of the lot. The next lot to the south depicted a proposed dwelling with a proposed guest house at the back.

The permit applications filed at the Morro Bay Community Development Department had the earliest date of 1974 when Harold had additional electrical circuits put in. Four years later, foundation repair and proposed floor work was done in the garage. In 1995, Harleigh Knott had Kyle Roofing replace the existing roof with a new one. She also had the house and studio anchored to the foundations as an earthquake retrofit. It was helpful, but still didn't stop the 2003 earthquake from damaging the top of the chimney. The next year, Harleigh had a gas fireplace installed and the chimney repaired.

Field Investigation

Three structures remain on the corner lot, a residence, double car garage and the Knott art studio. The conditions of some of the structures is generally poor. None of the structures were entered for this report. The original blueprints for the house were made available for this report by the current owner.



Figure 5: Entrance Detail

Knott Residence

The house was constructed after George Martell purchased the lot in 1925. The original specifications are in (Appendix B). Brick steps lead to the front door with a broken pediment above and three glass panels on either side (Figure 5). Two decorative strap irons are over the six paneled door. The window centered above is more clearly seen on the blueprint (Figure 6). Six over six pane sash windows are evenly placed on either side of the front entrance. Three of the same are repeated on the west side and two on the east face.

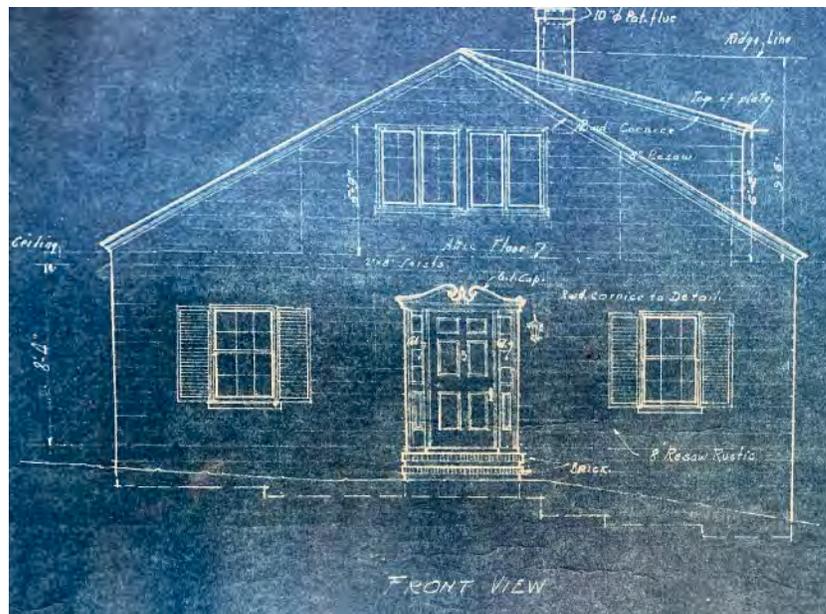


Figure 6: Original Blueprint of Front Facing Ridgeway

The north to south medium gable roof has asphalt shingle roofing that has replaced the original redwood shingles. A brick chimney rises from almost the top and middle of the gable. The roof is punctuated by a shed roof dormer on the west side giving a one and one half story appearance to the residence (Figures 7 and 8). The dormer has two large six over six pane sash. The framing is six inch beveled redwood siding flush to the roof line. The original Martell plans were for a full two story structure.



Figure 7: Southwest Corner

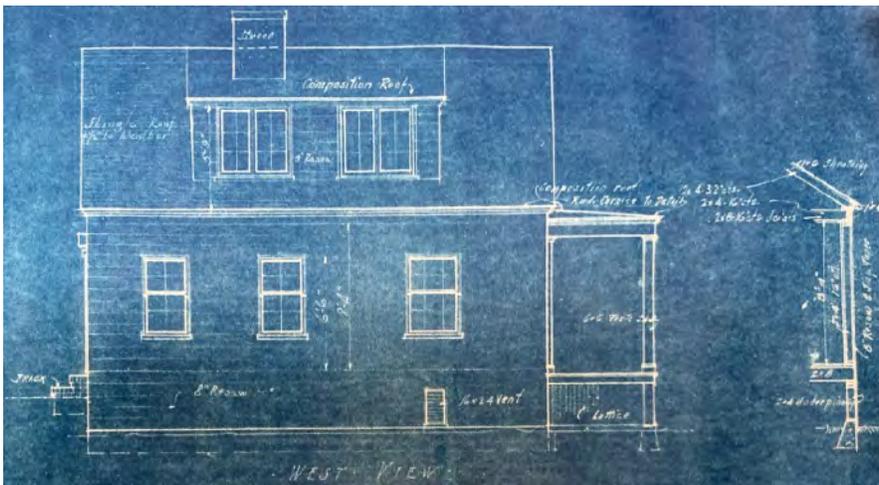


Figure 9: Blueprint of West Face with Original Porch and Detailing

Residence Additions

The original house footprint had a porch at the back as depicted on the blueprint (Figure 9). The porch has been replaced. Currently the porch is enclosed with newer siding and opens to

The plans for the studio were drawn by Harold Knott and the building completed in 1931 (Figure 13). The finished studio did not include the addition as shown in the drawings. Only the twenty by thirty foot studio that remains was constructed.

Garage

The two car garage is entered from a concrete driveway from Ridgeway and two steps upslope from the house. Covered with an old wood shingle roof, the condition is very poor with the same siding, except for the garage doors which are board and batten. There is another door that leads down from the back side of the garage to the back of the residence and one that leads to the studio. At the rear of the garage are two windows (Figure 14).



Figure 14: Rear of Garage

Setting

The sloping grounds had been scrubbed and only a tree and jade plants remain facing Ridgeway. Bottle brush at the Kern Street corner remain and evidence of ice plant is on a part of the slope up along Kern (Figures 15 and 16). Larger and newer homes are replacing smaller cottages along Ridgeway.



Figure 15: View from Kern 1938



Figure 16: Current View from Kern

SIGNIFICANCE DETERMINATION

The research developed for this report was applied to the following criteria from the Public Resources Code, Section 5024.1 Title 14 CCR Section 4852 to determine the significance of the residence at 2930 Greenwood Avenue.

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

Harold Knott was a significant part of the early Morro Bay Art Colony. The landscape painters of the early 20th century are an important component to California's cultural heritage.

- Is associated with lives of persons important in our past

Harold Knott's association with other nationally known Morro Bay artists that, as a group, formed the basis for the early Morro Bay Art Colony.

- Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic value.

The Knott residence exhibits the characteristics of a New England cottage rarely seen on the California Coast. The Knott art studio was an important component that represented his workspace design.

- Has yielded, or may be likely to yield, information important in prehistory or history.

n/a

CONCLUSION/RECOMMENDATIONS

The determinations of this study conclude that the property in question is significant under three criteria of the PRC Section 5024.1. As such, the property is afforded the protection from effects that will detract or alter this significance. To that end, the following recommendations are made as they relate to each applicable criterion.

Both Criteria 1 and 2 recognize the association of the property with important historic events and people. Alterations to the property that will diminish this association should be avoided. The association is connected to the residence and detached studio. Future use of the property should incorporate these important elements. Other structures (i. e. the garage) do not contain the same significance and need not be treated as contributing elements to the historic quality of this property. Additionally, it would be beneficial if the importance of this property to the significant art community of Morro Bay, both as a group and as the individual landowner, be recognized publicly in some fashion. Examples may include a plaque or other commemorative display, but other approaches may be equally appropriate.

Criterion C identifies the architectural character of the main residence as significant as a unique and important example of a New England cottage. This style is rare in the area and directly reflects the cultural roots of the primary residents, the Knotts. Modifications to the residence should consider these architectural elements and remain consistent with this style. The architectural significance of the buildings is limited to their exterior and preservation requirements need only apply to this aspect of the structures. The later addition at the southeast corner is not a part of the original residence and does not need the same consideration. The same is true for the enclosed portion of the original porch.

Through implementation of these recommendations, the historic significance of the property will be preserved and compliance with California historic preservation laws will be achieved.

Addendum

It has been a privilege to research a few of the members of the Morro Bay Art Colony in preparation for this report. In seeing the quality of their work, I feel it is time to seriously promote and recognize the impact that the Morro Bay Art Colony had nationally. The early landscape paintings produced by the Colony depict the natural beauty of the central coast and will gain in importance as we lose the wonder and memory of place through time. One mentioned in this report was Charlotte Skinner, who is currently having an exhibit at the Nevada Museum of Art.

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Map

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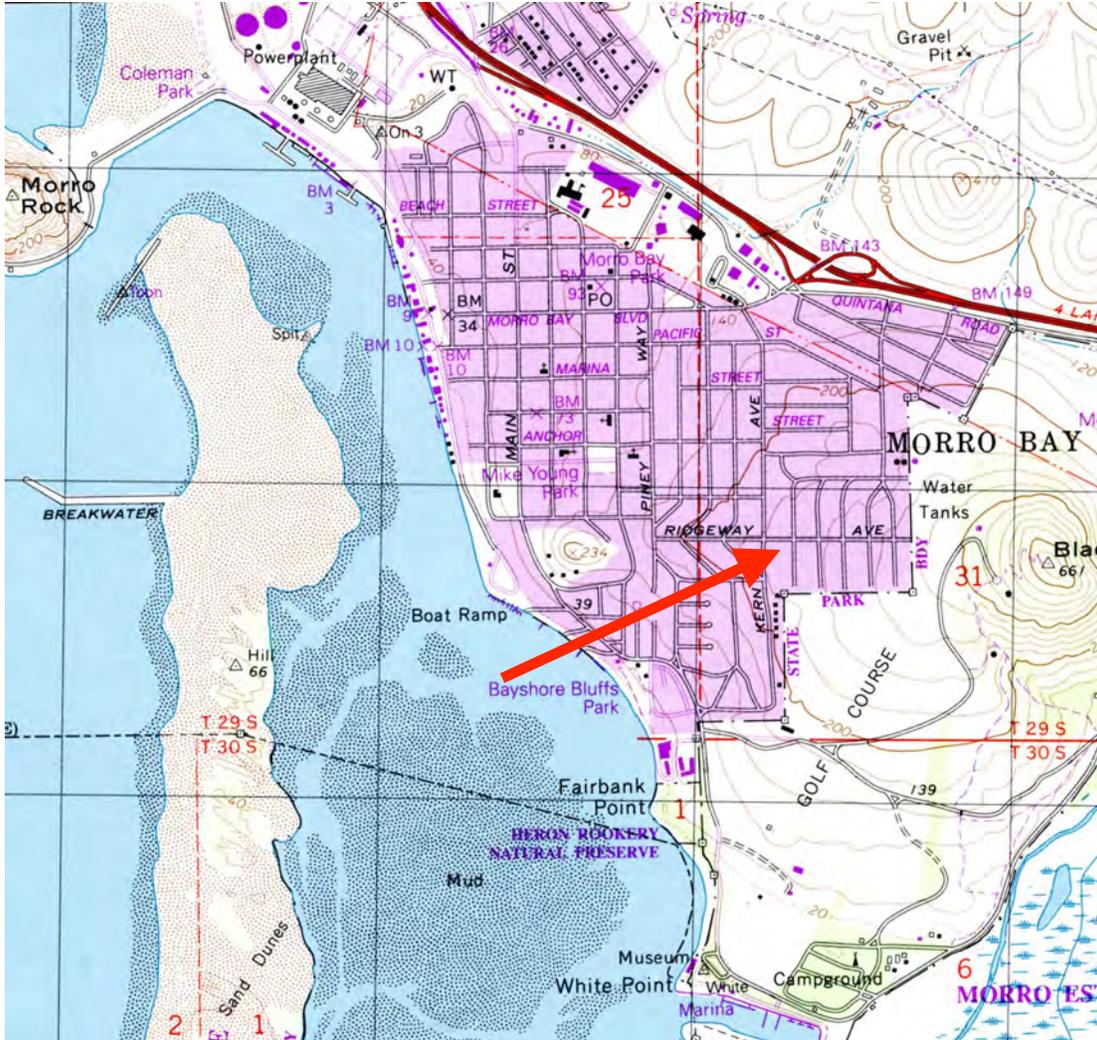
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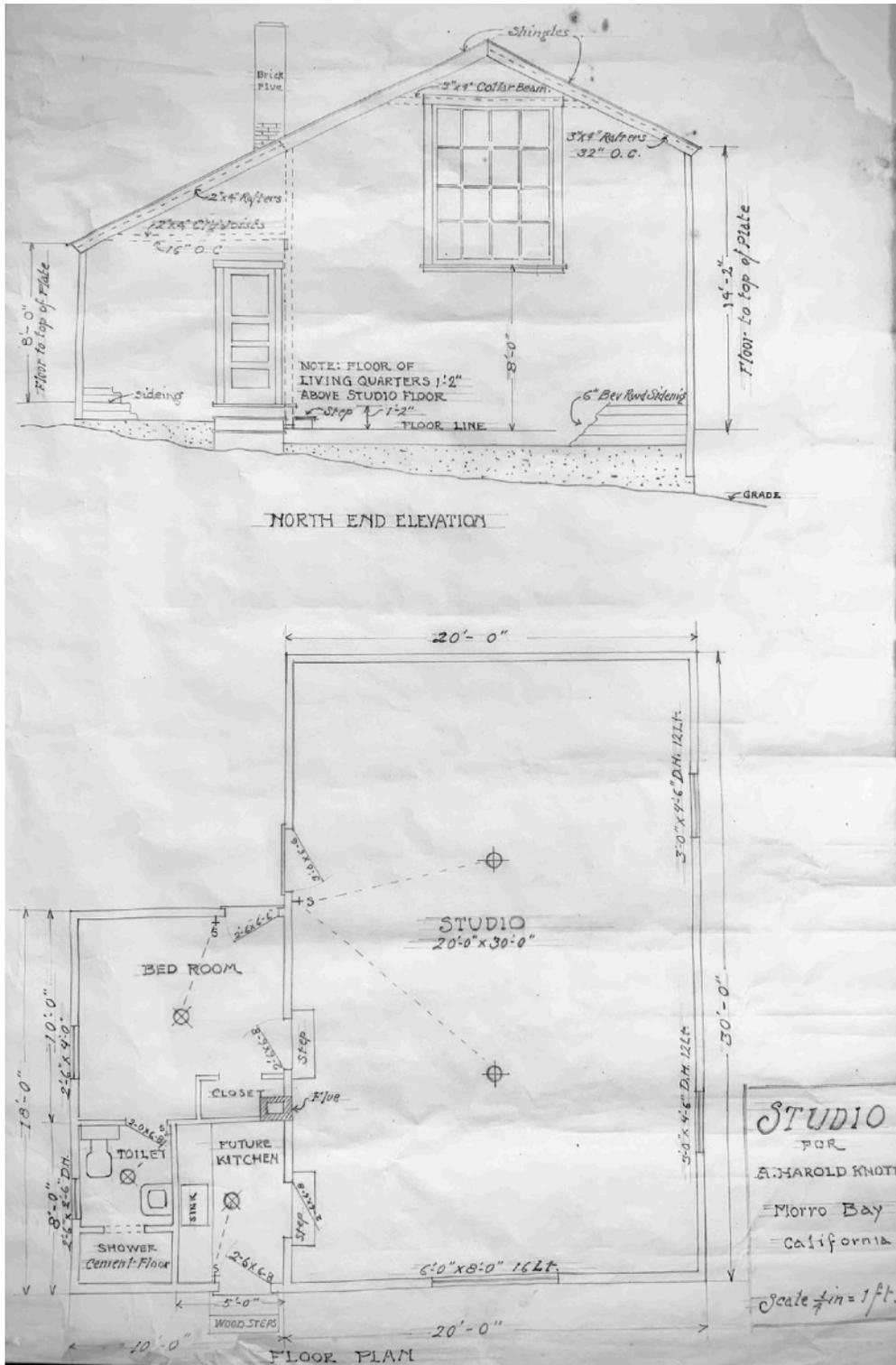
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APPENDIX A: Project Location Maps



APPENDIX B: Art Studio Plans Drawn by Harold Knott



DATE: 10-15-2024

ACTION MINUTES – SUBDIVISION REVIEW COMMITTEE
MEETING – OCTOBER 10, 2024
PUBLIC SERVICES CONFERENCE ROOM – 10:30 AM

PRESENT:	Airlin Singewald Kim Fowler Chad Ouimet Pam Newman	Community Development Director Planning Manager Chief Building Inspector Associate Engineer
ABSENT:	Matt Vierra	Fire Marshall
STAFF:	Susana Toner Angie Buoncristiano	Assistant Planner Administrative Technician
APPLICANT:	Randy Ramsay Kerry Margason	Applicant Agent, MBS Land Surveys

ESTABLISH QUORUM AND CALL TO ORDER

PRESENTATIONS

A. 900 Ridgeway

Case No: Parcel Map PAR23-02 and Coastal Development Permit CDP24-001

Site Location: 900 Ridgeway, Morro Bay, CA

Proposal: Regular Coastal Development Permit and Parcel Map for a 3 Lot parcel map at Kern & Ridgeway Streets. The site is in the RS-A zoning district. The property is not within the Coastal Appeals Jurisdiction.

CEQA: Exempt under Section 15315, Class 15 for minor land divisions.

Staff Recommendation: Staff recommends the Subdivision Review Committee approve the request submitted by the applicant.

Staff Contact: Susana Toner, Assistant Planner, stoner@morrobayca.gov

Director Singewald welcomed everyone and introduced the committee and staff present.

Susana Toner, Assistant Planner, presented the information about the project, proposal of two lots being divided into three lots. The existing house and studio will be moved to retain their

historic value, and the garage is to be demolished. Each lot could have one primary home with the potential to add ADUs.

Pam Newman, Associate Engineer, spoke about the frontage improvements, including curbs, gutters and sidewalks. Public Works would also check that boundaries are correct until the final map is ready.

Randy Ramsay, applicant and Kerry Margason, agent, presented questions to committee members and staff regarding deferrals when applying for a building permit, and if Kern or Ridgeway were collector streets.

Committee members answered their questions and concerns. Including addressing sewer lines, gas service, and recommending having a structural assessment done.

Randy pointed out running a new sewer lateral, he wants the lots to have their own sewer lines, to be designed by a civil engineer. He also noted there is a gas service, though he is considering going all electric.

Director Singewald and Susana spoke about preservation of the existing structures on the lot, if removed that may impact the environmental component.

Susana then stated the next step would be getting the project on the PC meeting schedule, tentatively November 7th or November 19th.

Randy and Kerry both agreed to the November 19th PC meeting so they can have plenty of time to review the staff report beforehand.

With the Committee and Staff having no other comments, Director Singewald suggested making a motion.

MOTION: Kim Fowler, Planning Manager, moved to approve staff recommendation to approve the request submitted by the applicant. Pam Newman, Associate Engineer, seconded the motion, and the motion passes 4-0, with Fowler, Newman, Singewald and Ouimet voting yes.

B. ADJOURNMENT

The meeting was adjourned at 11:00 am.



Memorandum

TO: Chairperson Roschen and Members of the Planning Commission

FROM: Susana Toner, Assistant Planner, Planning Division

SUBJECT: 900 Ridgeway Street; Parcel Map (PAR23-02) and Coastal Development Permit (CDP24-001) Frontage Improvement Waiver Request

I. DISCUSSION

Parcel Map (PAR23-02) and Coastal Development Permit (CDP24-001) is a proposal to subdivide two (2) existing adjacent parcels into three (3) parcels. Subsequent to the finalization of the project's staff report city Staff received a request to have the Frontage Improvements, as required by Public Works through Condition #28, waived (Exhibit E). Municipal Code Section 14.44.040 grants the Director of Public Works the authority to make this decision. Consistent with City Council direction, staff is elevating this decision to the Planning Commission, as the review authority for the associated parcel map.

Morro Bay Municipal Code (MBMC) Section 14.44.040 outlines exceptions to frontage improvements as:

"The requirement for construction of new frontage improvements may be waived, deferred or modified by the director of public works in cases where they determine that existing nonstandard frontage improvements do not create potential safety hazards for pedestrians or motorists, cause a liability for the city, result in drainage problems, or compromise handicapped accessibility requirements. In granting such waivers, the director of public works may require any degree of corrective work to existing frontage improvements they deem necessary."

In response to the letter, Public Works staff agreed to waive public frontage improvements on the basis that this waiver would not create potential safety hazards for pedestrians or motorists, or cause a liability for the city, result in drainage problems, or compromise handicapped accessibility requirements and prepared a memorandum to provide revised conditions (Exhibit F) if a waiver of frontage improvements is agreed to and approved by the Planning Commission. Planning concurs with Public Works.

A modified version of Resolution 05-24 has been prepared reflecting the change in the project conditions of approval (Exhibit G).

II. RECOMMENDED ACTION

STAFF RECOMMENDS THE PLANNING COMMISSION APPROVE PARCEL MAP NO. PAR 23-02 AND COASTAL DEVELOPMENT PERMIT NO. CDP24-001 FOR THE SUBDIVISION OF TWO EXISTING PARCELS INTO 3 PARCELS AS SHOWN ON PLANS DATE STAMPED AUGUST 26, 2024, BY ADOPTING THE ATTACHED MODIFIED PLANNING COMMISSION RESOLUTION 05-24 WHICH INCLUDES THE FINDINGS AND CONDITIONS OF APPROVAL (EXHIBIT G, WHICH REPLACES EXHIBIT A IN THE STAFF REPORT PACKAGE.

If any Planning Commissioner or other interested party has questions or comments regarding this matter prior to the meeting, please contact Susana Toner, Assistant Planner, at 805-772-6270, or by email at stoner@morrobayca.gov.

Approved:



Airlin Singewald
Community Development Director

Exhibit E	Frontage Improvement Waiver Request
Exhibit F	Public Works Planning Permit Memorandum
Exhibit G	Modified Resolution 05-24



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San Luis Obispo, CA 93401

Msg: 805.594.1960
Fax: 805.594-1966
Email: adarrell@mbslandsurveys.com

Frontage Improvement Waiver Request

As a part of our subdivision project at 900 Ridgeway Street (PAR23-02 & CDP24-001), we would like to formally request a waiver from the requirements of Section 14.44.020. This is because no properties in the surrounding neighborhood and throughout the RS-A zone have any frontage improvements. Any curb, gutter, and sidewalk improvements would be premature and inconsistent for the area. In addition, this waiver would be consistent with Section 14.44.020 B for exceptions for properties within the RS district.

Sincerely,

Andrew Darrell, Planning Intern





CITY OF MORRO BAY

PUBLIC WORKS DEPARTMENT

955 Shasta Avenue
Morro Bay, CA 93442

PUBLIC WORKS PLANNING PERMIT MEMORANDUM

November 14, 2024

TO: PLANNING DIVISION

FROM: Pamela Newman, Associate Engineer

RE: 900 Ridgeway St. – PAR23-02 & CDP24-001

The tentative parcel map is conditionally approved.

The following conditions are required at the time of Final Map submittal and prior to Final Map Recordation:

1. **Public Improvements:** Applicant has requested a deferral of frontage improvements. Per MBMC 14.44.1, the following public improvements are required when a proposed development fronts Collector Street (Ridgeway and Kern):
 - A. Frontage Installation as a Collector Street per City detail A-2,
 - B. Installation of a standard driveway approach per City detail B-6,
 - C. Installation of sidewalks per City detail B-5,
 - D. Installation of curb and gutter per City detail B-1, Type A-2,
 - E. Installation of street tree (one per every 50' frontage) along both the Ridgeway Street and Kern Avenue frontage.

If the Planning Commission approves deferral, the following frontage updates would be required:

- A. Repair and replace deteriorated existing ac berm.
 - B. Any proposed driveway approaches installed per City detail B-7 (ac driveway with ac berm) or per City detail B-8 (concrete driveway with or without ac berm).
 - C. Any concrete driveway Installation requires 18" asphalt cut and pave back to be installed to nearest clean edge per Public Works inspector.
2. **Final Map and associated documents & fees:** Approved and signed final map with associated documents (i.e. CC&R, Closure Calcs., Subdivision Agreement, etc.)

The following conditions are required prior to building permit plan approval and issuance:

3. **Stormwater Design:** The City has adopted Low Impact Development (LID) and Post Construction requirements. All proposed projects must complete the "Performance

Requirement Determination Form” and identify new and replaced impervious surfaces, to determine if any requirements should be submitted. The requirements can be found in the Stormwater management guidance manual on the City’s website <https://www.morrobayca.gov/DocumentCenter/View/11114/MB-Stormwater-Management-EZ-manual>. Note: All runoffs must be directed onto vegetated areas prior to overflowing into the street.

4. Compaction: All public improvements and driveways require a third-party compaction test to be submitted to the Public Works Inspector prior to final inspection.
5. Sewer Lateral: Indicate and label if private sewer lateral pipe will be replaced or to remain in place. If the existing sewer lateral is proposed to remain in place, then perform a video inspection of the lateral (from the clean-out at structure to the connection at the sewer mainline pipe) and submit to Public Works via flash drive, prior to building permit plan approval. Requirements for the sewer video inspection can be located on the City’s website at the following location: <https://www.morrobay.ca.us/DocumentCenter/View/13500/Private-Sewer-Line-Video-Requirements>. Lateral shall be upgraded, repaired or replaced as required to prohibit inflow/infiltration. All repairs or replacements identified from sewer video, shall be noted on approved set of plans, prior to plan approval. (MBMC 14.07.030)
6. Sewer Backwater Valve: Indicate and label sewer backwater valve on plan. Any sewer lateral upon any premises which services fixtures whose elevation is lower than the elevation of the first upstream sewer manhole rim, lamp hole, or pump station, shall be protected from backflow of sewage by installing backwater valves. Exception: Installation of backwater valve shall not be required when it is determined that the intent and purpose of this section is otherwise met. (MBMC 14.07.010.C).
7. Water Meter: Indicate on plans location and sizes of both water meter and water lateral. Coordinate sizes with Fire Sprinkler plans. (MBMC 13.04.010 & 14.04.010.C)
8. Grading and Drainage: Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation, roof downspouts, and all existing and proposed drainage pipes and structures. All runoff must be directed onto vegetated areas. (CBC 107.2.1/CRC R106.1.1)
9. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.

10. Erosion and Sediment Control Plan: For small projects less than 1/2 acre and less than 15% slope, provide a standard erosion and sediment control plan. Show on plans the control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. Guidelines for the control plan may be found on the City's website at the following location: <https://www.morrobayca.gov/documentcenter/view/462>

Add the following Notes to the Plans:

1. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.
2. It is the responsibility of the designer and contractor to verify all utility locations and connections for the project.
3. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permit application and requirements are available on the City's website at the following location: <https://www.morrobay.ca.us/197/Public-Works>.
 - A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location).
 - A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement.
 - A water encroachment permit and water meter application shall be required for new water meter installations within the City right-of-way.
 - If a construction dumpster is used, the dumpster location shall be on private property, unless allowed by a temporary encroachment permit within the City right-of-way.

RESOLUTION NO. PC 05-24

A RESOLUTION OF THE MORRO BAY PLANNING COMMISSION FOR PARCEL MAP
APPLICATION NO. 23-02 AND COASTAL DEVELOPMENT PERMIT NO. CDP24-001 FOR
THE SUBDIVISION OF 2 ADJACENT LOTS INTO 3 LOTS,
AT 900 RIDGEWAY STREET

WHEREAS, the Planning Commission of the City of Morro Bay (the “City”) conducted a public hearing on November 19, 2024, conducted in a hybrid format with both an in-person meeting at the Morro Bay Veterans Memorial Building, 209 Surf Street, Morro Bay, CA 93442 as well as through virtual public participation provided telephonically through Zoom, for the purpose of considering the approval of the PAR23-02 and CDP24-001 for the subdivision of 2 lots into 3 lots located at 900 Ridgeway Street; and

WHEREAS, notices of said public hearing were made at the time and in the manner required by law; and

WHEREAS, the Planning Commission has duly considered all evidence, including the testimony of the applicant, interested parties, and the evaluation and recommendations by staff, presented at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Morro Bay as follows:

Section 1: Findings. Based upon all the evidence, the Commission makes the following findings:

California Environmental Quality Act (CEQA)

1. That for the purposes of the California Environmental Quality Act, Case Nos. PAR23-02 and CDP24-001 are categorically exempt under Section 15315 Class 15 for minor land subdivisions.

Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Additionally, none of the Categorical Exemption exceptions, noted under Section 15300.2, apply to the project.

Coastal Development Permit Findings

1. **LCP Consistency.** *The project is consistent with the LCP.*

Plan Morro Bay was adopted in 2021, encompassing both the City’s General Plan and Coastal Land Use Plan (LCP). The project falls within the General Plan’s land use designation of Residential Single-Unit, which is intended to provide areas for detached and attached single-

unit housing at densities up to seven units per net acre. In addition, this District provides for uses such as schools and parks that may be appropriate in a low- or moderate-density residential environment.

2. *Public Views.* *The project protects or enhances public views.*

Plan Morro Bay includes various policies related to the protection and enhancement of coastal public views. This project, however, is not located along the coast and therefore does not negatively impact coastal public views.

3. *Habitat Protection.* *The project protects vegetation, natural habitats and natural resources consistent with LCP.*

The Conservation Element of Plan Morro Bay addresses the use and preservation of natural resources to improve the environmental quality of Morro Bay. While this property is located within mapped known environmentally sensitive habitat areas or habitat locations within the Conservation Element and the project exceeds the required buffer requirement and therefore is not expected to compromise existing vegetation, natural habitats or natural resources with proper erosion control measures.

4. *Design Consistency.* *The design, location, size, and operating characteristics of the proposed development is consistent with applicable LCP design requirements, including design plans and area plans incorporated into the LCP.*

Plan Morro Bay designates the City of Morro Bay Zoning Code as the regulatory authority for implementation of coastal requirements including allowed uses, development standards, and coastal resource protection standards. The design, size, location, and operating characteristics of this project is consistent with Sections 17.07, 17.08, and 17.23 of the Morro Bay Zoning Code.

5. *Coastal Access.* *The project protects or enhances public access to and along the coast.*

Plan Morro Bay includes various policies related to the protection and enhancement of public access to and along the coast. This project, however, is not located along the coast and therefore does not negatively affect public access to and along the coast.

6. *Visitor Serving.* *The project supports the LCP goal of providing for visitor-serving needs as appropriate, including providing low and no cost visitor and recreational facilities.*

Plan Morro Bay includes various policies related to visitor-serving needs. This project, however, is the replacement of an existing residential use and is therefore not required to provide low and no cost visitor and recreational facilities.

7. *Appropriate Use.* *The project is consistent with the allowed LCP uses associated with the property.*

Plan Morro Bay was adopted in 2021, encompassing both the City's General Plan and Coastal Land Use Plan (LCP). The project falls within the General Plan's land use designation of Residential Single-Unit, which is intended to provide areas for detached and attached single-unit housing at densities up to seven units per net acre. In addition, this District provides for

uses such as schools and parks that may be appropriate in a low- or moderate-density residential environment.

Plan Morro Bay designates the City of Morro Bay Zoning Code as the regulatory authority for implementation of coastal requirements including allowed uses, development standards, and coastal resource protection standards. The design, size, location, and operating characteristics of this project is consistent with Sections 17.07, and 17.23 of the Morro Bay Zoning Code.

8. Coastal Resources. *The proposed development protects or enhances coastal resources, where applicable.*

Plan Morro Bay includes various policies related to the protection or enhancement of coastal resources. This project site is within the Cultural Resources Overlay and will protect any potential resources through an Archaeological Monitoring Report and monitoring during all ground disturbing activities.

9. Environmental Justice. *The project addresses whether proposed development results in environmental justice impacts, consistent with LCP environmental justice policies. When relevant, the project includes mitigation measures to minimize or eliminate potential adverse and/or disproportionate impacts of development on environmental justice communities.*

The project does not trigger environmental justice impacts. No mitigation measures are required to minimize or eliminate potential adverse and/or disproportionate impacts of development on environmental justice communities.

10. Hazards. *The proposed development is consistent with the LCP's coastal hazards provisions.*

Coastal hazards include, but are not limited to, episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, coastal flooding, landslide, bluff and geologic instability, and the interaction of same, and all is impacted by sea level rise. This project, however, is not located along the coast and therefore is not subject to the LCP's coastal hazards provisions.

Section 2. Action. The Planning Commission does hereby approve Parcel Map No. PAR23-02 and Coastal Development Permit No. CDP24-018 subject to the following conditions:

STANDARD CONDITIONS:

1. Permit: Parcel Map (PAR23-02) and Coastal Development Permit (CDP24-001) for the subdivision of two adjacent lots into three lots at 900 Ridgeway Street. The project zoning is RS-A, and the property is not located within the coastal appeals jurisdiction. The property is located outside of the Cultural Resources overlay area.
2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this Resolution and is diligently pursued, thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Any extension may be granted by the City's Community Development Manager (the "Director"), upon finding the project complies with all applicable provisions of the Morro Bay Municipal Code (the "MBMC"), General Plan and certified Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Community Development Director. Any changes to this approved permit determined, by the Director, not to be minor shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, the City, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan for the City.
5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. Applicant understands and acknowledges the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed herein shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Director or as authorized by the Planning Commission. Failure to comply with any of these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the MBMC and is a misdemeanor.

7. Compliance with Morro Bay Standards: This project shall meet all applicable requirements under the MBMC and shall be consistent with all programs and policies contained in the LCP and General Plan of the City.
8. Conditions of Approval: The Findings and Conditions of Approval shall be included as a full-size sheet in the Building Plans.

BUILDING CONDITIONS:

PRIOR TO ISSUANCE OF A BUILDING PERMIT:

9. Building permit plans shall be submitted by a California licensed architect or engineer when required by the Business & Professions Code, except when otherwise approved by the Chief Building Official.
10. The owner shall designate on the building permit application a registered design professional who shall act as the Registered Design Professional in Responsible Charge. The Registered Design Professional in Responsible Charge shall be responsible for reviewing and coordinating submittal documents prepared by others including phased and staggered submittal items, for compatibility with design of the building.
11. The owner shall comply with the City's Structural Observation Program. The owner shall employ the engineer or architect responsible for the structural design, or another engineer or architect designated by the engineer of record or architect responsible for the structural design, to perform structural observation as defined in Section 220. Observed deficiencies shall be reported in writing to the owner's representative, special inspector, contractor and the building official. The structural observer shall submit to the building official a written statement that the site visits have been made and identify any reported deficiencies that, to the best of the structural observer's knowledge, have not been resolved.
12. The owner shall comply with the City's Special Inspection Program. Special inspections will be required by Section 1704 of the California Building Code. All Special Inspectors shall first be approved by the Building Official to work in the jurisdiction. All field reports shall be provided to the City Building Inspector when requested at specified increments in order for the construction to proceed. All final reports from Special Inspectors shall be provided to the Building Official when they are complete and prior to final inspection.
13. Mitigation measures for natural occurring asbestos require approval from San Luis Obispo County Air Pollution Control District.
14. A soils investigation performed by a qualified professional shall be required for this project. All cut and fill slopes shall be provided with subsurface drainage as necessary for stability; details shall be provided. Alternative, submit a completed City of Morro Bay soils report waiver request.
15. BUILDING PERMIT APPLICATION. To apply for building permits submit three (3) sets of construction plans to the Building Division.
16. The Title sheet of the plans shall include:
 - a. Occupancy Classification(s)

- b. Construction Type
- c. Maximum height of the building allowed and proposed
- d. Floor area of the building(s)
- e. Fire sprinklers proposed or existing
- f. Minimum building setback allowed and proposed

All construction will conform to the 2022 California Building Code (CBC), 2022 California Residential Code (CRC), 2022 California Fire Code (IFC), 2022 California Mechanical Code (CMC), 2022 California Plumbing Code (CPC), 2022 California Electrical Code (CEC), 2022 California Energy Code, 2022 California Green Building Code (CGBC), Title 14 and 17 of the Morro Bay Municipal Code.

(Code adoption dates are subject to change. The code adoption year is established by application date of plans submitted to the Building Division for plan review.)

CONDITIONS TO BE MET DURING CONSTRUCTION:

- 17. **SITE MAINTENANCE.** During construction, the site shall be maintained so as to not infringe on neighboring property, such as debris and dust.
- 18. **ARCHAEOLOGICAL MATERIALS.** In the event unforeseen archaeological resources are unearthed during any construction activities, all grading and or excavation shall cease in the immediate area and the find left untouched. The Building Official shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, Native American, or paleontologist, whichever is appropriate. The qualified professional shall evaluate the find and make reservations related to the preservation or disposition of artifacts in accordance with applicable laws and ordinances. If discovered archaeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the Building Official shall notify to county coroner. If human remains are found to be of ancient age and of archaeological and spiritual significance, the Building Official shall notify the Native American Heritage Commission. The developer shall be liable for costs associated with the professional investigation.
- 19. **FOUNDATION SETBACK VERIFICATION:** Prior to the placement of concrete and upon completed form installation, a licensed surveyor is required to measure and record the distance from the proposed foundation walls to the established lot lines. The contractor shall submit these findings in letter format to the building inspector upon the request for a foundation inspection. Letter shall specify the findings of front, sides and rear yard setbacks as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case-by-case basis for some lot types.
- 20. **BUILDING HEIGHT VERIFICATION:** Prior to roof sheathing or shear wall inspection, a licensed surveyor is required to measure and record the height of the structure. The contractor shall submit this finding in letter format to the building inspector upon the request for roof sheathing/shear wall inspection. Letter shall specify the recorded height of structure as defined in Title 17 of the MBMC. The Building Official shall have discretion on a case-by-case basis for some site-specific projects.
- 21. **EXISTING BUILDINGS:** Where windows are required to provide emergency escape and rescue openings, replacement windows shall comply with the maximum sill height

requirements of section R310.2.2 and the minimum opening area requirements of section R310.2.1 of the 2022 California Residential Code.

CONDITIONS TO BE MET PRIOR TO FINAL INSPECTION AND ISSUANCE OF CERTIFICATE OF OCCUPANCY:

22. Prior to Building Division final approval all required inspections from the other various divisions must have been completed and verified by a city inspector. All required final inspection approvals must be obtained from the various departments and documented on the permit card. This permit card shall then be turned into the building division for scheduling of the final building inspection.
23. Any as-built drawings that were required by the building inspector or plans examiner must be submitted for approval prior to the request for final inspection.
24. If structural observations were required, the final structural observation report shall be submitted to the building division prior to issuance of the certificate of occupancy or final inspection approval.
25. If special inspections were required, the final special inspection report shall be submitted to the building division prior to the issuance of the certificate of occupancy or final inspection approval.
26. Final soils summary report from the geotechnical representative indicating compliance with the required conditions set forth in the soils report.
27. Final T-24 energy reports (Certificates of Installation).

PUBLIC WORKS CONDITIONS:

The following Public Works conditions are required at the time of Final Map submittal and prior to Final Map Recordation:

28. Public Improvements: Frontage Improvement deferral required by MBMC 14.44.1 has been approved; following frontage updates are required:
 - a. Maintenance required. Repair and replace deteriorated existing asphalt concrete (ac) berm.
 - b. Driveway approaches. Any proposed driveway approaches shall be installed per City detail B-7 (ac driveway with ac berm) or per City detail B-8 (concrete driveway with or without ac berm).
 - c. Driveway installation. Any concrete driveway Installation shall include an 18" asphalt cut and pave-back to be installed to the nearest clean edge, to the satisfaction of the Public Works inspector.
29. Final Map and Associated Documents & Fees: Approved and signed final map with associated documents (i.e. CC&R, Closure Calcs, Subdivision Agreement, etc)

The following conditions are required prior to building permit plan approval and issuance:

30. Stormwater Design: The City has adopted Low Impact Development (LID) and Post Construction requirements. All proposed projects must complete the "Performance

Requirement Determination Form” and identify new and replaced impervious surfaces, to determine if any requirements should be submitted. The requirements can be found in the Stormwater management guidance manual on the City’s website <https://www.morrobayca.gov/DocumentCenter/View/11114/MB-Stormwater-Management-EZ-manual> Note: All runoffs must be directed onto vegetated areas prior to overflowing into the street.

31. Compaction: All public improvements and driveways require a third-party compaction test to be submitted to the Public Works Inspector prior to final inspection.
32. Sewer Lateral: Indicate and label if private sewer lateral pipe will be replaced or to remain in place. If the existing sewer lateral is proposed to remain in place, then perform a video inspection of the lateral (from the clean-out at structure to the connection at the sewer mainline pipe) and submit to Public Works via flash drive, prior to building permit plan approval. Requirements for the sewer video inspection can be located on the City’s website at the following location: <https://www.morro-bay.ca.us/DocumentCenter/View/13500/Private-Sewer-Line-Video-Requirements>. Lateral shall be upgraded, repaired or replaced as required to prohibit inflow/infiltration. All repairs or replacements identified from sewer video, shall be noted on approved set of plans, prior to plan approval.
33. Sewer Backwater Valve: Indicate and label sewer backwater valve on plan. Any sewer lateral upon any premises which services fixtures whose elevation is lower than the elevation of the first upstream sewer manhole rim, lamp hole, or pump station, shall be protected from backflow of sewage by installing backwater valves. Exception: Installation of backwater valve shall not be required when it is determined that the intent and purpose of this section is otherwise met. (MBMC 14.07.010.C)
34. Water Meter: Indicate on plans location and sizes of both water meter and water lateral. Coordinate sizes with Fire Sprinkler plans. (MBMC 13.04.010 & 14.04.010.C)
35. Grading and Drainage: Indicate on plans the existing and updated contours, drainage patterns, spot elevations, finish floor elevation, roof downspouts, and all existing and proposed drainage pipes and structures. All runoffs must be directed onto vegetated areas. (CBC 107.2.1 / CRC R106.1.1)
36. Utilities: Show all existing and proposed locations of the sewer lateral, water service, and water and sewer mains on the building plans. Include sizes where appropriate. Note the location of all overhead utilities and construction underground service entrances per the CBC.
37. Erosion and Sediment Control Plan: For small projects less than 1/2 acre and less than 15% slope, provide a standard erosion and sediment control plan. Show on plans the type and location of the control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area. Guidelines for the control plan are found on the City’s website at the following location: <https://www.morrobayca.gov/documentcenter/view/462>
38. Add the following Notes to the Plans:
 1. Any damage, as a result of construction operations for this project, to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at

no cost to the City of Morro Bay.

2. It is the responsibility of the designer and contractor to verify all utility locations and connections for the project.
3. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permit application and requirements are available on the City's website at the following location: <https://www.morro-bay.ca.us/197/Public-Works>.
 - A standard encroachment permit shall be required for the proposed driveway; the driveway shall comply with B-9 (Driveway Ramps: Size & Location).
 - A sewer encroachment permit shall be required for any repairs or installation of a sewer lateral within the City right-of-way or within a utility easement.
 - A water encroachment permit and water meter application shall be required for new water meter installations within the City right-of-way.
 - If a construction dumpster is used, the dumpster location shall be on private property, unless allowed by a temporary encroachment permit within the City right-of-way.

PLANNING CONDITIONS:

39. **Archaeology:** In the event of the unforeseen encounter of subsurface materials suspected to be of an archaeological or paleontological nature, all grading or excavation shall immediately cease in the immediate area, and the find should be left untouched until a qualified professional archaeologist or paleontologist, whichever is appropriate, is contacted and called in to evaluate and make recommendations as to disposition, mitigation and/or salvage. The developer shall be liable for costs associated with the professional investigation.
40. **Construction Hours:** Pursuant to MBMC subsection 9.28.030.I, Construction or Repairing of Buildings, the erection (including excavating), demolition, alteration or repair of any building or general land grading and contour activity using equipment in such a manner as to be plainly audible at a distance of fifty feet from the building other than between the hours of seven a.m. and seven p.m. on weekdays and eight a.m. and seven p.m. on weekends except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the Community Development Department, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for a period of three days or less while the emergency continues.
41. **Dust Control:** That prior to issuance of a grading permit, a method of control to prevent dust and wind blow earth problems shall be submitted for review and approval by the Building Official.
42. **Architecture:** Building colors and materials shall be as shown on plans approved by the Planning Commission and specifically called out on the plans submitted for a Building Permit to the satisfaction of the Community Development Director.
43. **Boundaries and Setbacks:** The property owner is responsible for verification of lot boundaries. Prior to requesting foundation inspection, a licensed land surveyor shall verify lot boundaries and building setbacks to the satisfaction of the Community Development Director. A copy of the surveyor's Form Certification based on a boundary survey shall be submitted with the request for foundation inspection.
44. **Building Height Verification:** Prior to foundation inspection, a licensed land surveyor shall

measure and inspect the forms and submit a letter to the Community Development Director certifying that the tops of the forms are in compliance with the finish floor elevations as shown on approved plans. Prior to either roof nail or framing inspection, a licensed surveyor shall submit a letter to the building inspector certifying that the height of the structures is in accordance with the approved plans and complies with the maximum height requirements as approved for this project.

45. Inspection: The applicant shall comply with all City conditions of approval and obtain final inspection clearance from the Planning Division at the necessary time in order to ensure all conditions have been met.
46. Conditions of Approval on Building Plans: Prior to the issuance of a Building Permit, the final Conditions of Approval for both the Parcel Map and the Coastal Development Permit shall be attached to the set of approved plans. The sheet containing Conditions of Approval shall be the same size as other plan sheets and shall be the last sheet in the set of Building Plans.
47. Exterior Lighting: All lights shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties. The light level at property lines shall not exceed 0.3 foot-candles. Building plans submitted for approval shall be lighting that uses cut-off, shielded, or downward fixtures (i.e., the bulb is not directly visible) and is between 2600 and 3500 Kelvin and has a CRI of 85 or greater.
48. Landscape and Irrigation Plan: A Landscape and Irrigation Plan consistent with MBMC Section 17.25 shall be included with the building permit submittal.
49. Parking Plan: A parking plan shall be included with the building permit submittal.
50. Commemorative Plaque: A Commemorative Plaque shall be reviewed and approved by the Community Development Director and installed prior to issuance of certificate of occupancy.
51. Historic Resource: Any alterations to the building façade must be consistent with the Historical character of the existing residence as analysed by the Historical Evaluation Report.

PASSED AND ADOPTED by the Morro Bay Planning Commission at a regular meeting thereof held on this 19th day of November, 2024 on the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairperson William Roschen

ATTEST

Airlin Singewald, Secretary

The foregoing resolution was passed and adopted this 19th day of November, 2024.